/61 cont./

613 no less withstand a rigorous critique: indeed, the critique that
173 springs from the necessities of agricultural work and of vehement
619 claims. They have therefore plunged, at the very least for the last two or three centuries, into an atmosphere of a singular objectivity. Finally, it is these very legendary origins that convey a collective option infinitely more informative for our purpose than the dry chronology.

173 Let us look at the a. D'alh'a for example. Their habitat is
619 today dispersed in three places, on both sides of the sacred place
[101] of Z'init'. They present themselves as descendants of the eponymous hero Amer u H'addô, historic personage of the fourteenth century. Their tradition therefore bridges the present epoch and that of the agellid-s. One of their branches, the a. Sefyan, in the middle valley, is reputed to be of Arab origin. Is its name a fossil of the relations that the montagnard kings maintained with the Sofyân of the plain? How precious this fossil would be!...

[423] In many cases, the initium of the arable lands, that is to say, the privilege of taking them in hand under good auspices, before everyone else, is reserved for these old families, even if they have not kept any political or economic prestige. Such, moreover, is not the case for the a. D'alh'a, proud of their kinship with those whom they call Baba Âmer and who lay claim, with general consent, to their quality of Seksawa of pure stock.

634 How can a whole taqbilt, that of the a. H'adduyws, which it-
613 self interprets its name as "son of H'addô son of Y'ûsuf," reconcile
619 this appellation with the profession, also quite clear, of diverse origins for each of the ikhs-s that compose it, and almost none of which go back to the eponym? We are alluding to an apparent contradiction there. But it is almost only style. It conveys the importance of classificatory names in a system where they scarcely retain any positive content any more. And, on the other hand, it expresses the difference in nature between the social cell, the ikhs, amenable to precise successoral connections, and the political cell, composed of subgroups that are most often not united to one another by any kinship tie, even fictive.

[Ait D'alh'a]

619 /69 cont./ They share this privilege of authenticity only with
634 the a. D'alh'a of the high valley, whose habitat is arranged, in
184 relation to the mausoleum of Sidi Amer u H'addo, just as theirs
101 is in relation to the sanctuary of Lala Aziza. Perhaps these are
[778] two symmetrical witnesses treated kindly by the invasions. Between them, no continuity: the whole middle valley of the river has been dominated by the intruders or the excluded, the a. Gasa. This rupture marked the collapse of the national history. But two islets have remained, and perhaps their safety was not a matter of chance or of a particularly efficacious resistance. They have, in a way, existed as witnesses, and perhaps as "guarantors." Between them are arranged the new arrivals, between them are sheltered their conquerors. Because the conquest of the country altered neither its substance nor its name. The arrivals also call themselves Seksawa. Some of them even claim origin from
[778] H'addo. The cult of the saints is thus continued. Z'init' remains up to a late epoch the foyer of asylum. The taqbilt-s still claim the old princely names of Musa and of Abdallah. The mystic patronages of the soil remain intact.

423 Finally, and more precisely, the immigrant considers his oc-
166 cupation valid only when he has duly bought the land from the
619 former owners: Demsira in the lower valleys, a. Gasa in the middle. Whence processes extremely nuanced and complicated, which have left their written traces. We shall see that in detail concerning the a. Gasa. But let us note from now on that the relationship of the a. Musa and of the a. H'adduyws, on both sides of the Idma, arises from certain features of the landed-property structure. The analysis of ownership brings a striking confirmation to the story here.

/In the original source the following paragraph is printed in small type./ A family of Iger n-ssuq, the a. Ibizzi, has estates in a. Bah'ammo in the high valley. Reciprocally, some a. H'adduyws of a. Zemlal possess some on the side of T'abya. Well downstream, in a. Abdella at Imi-n-ghli, the a. Anono (Idma) keep, with titles of origin, aql, an important joint property. In olden times, and still in the time of Lh'ajj H'fid', a famous

/69 cont./
423 166 619 family of this ikhs, that of the present amghar, even advanced on this side. It is not surprising that in this expansion there might have been a very deep feeling of recovery, of reconstitution of traditional ensembles. Such a hypothesis is not contradicted by the explanation given today of the simultaneous presence below T'abya of original owners from three groups: Iuma, ait H'adduyws, and Dwiran. This coalition drove out the Demsira and divided their lands among themselves. But it is customary that these recoveries bring about re-establishment of legitimacy: their archeological value is therefore probable.

619 173 [613] /70/ Legendary origin of a part of this peopling, going back to the ikhs of the a. Khaled, that is, to the a. D'alh'a, that is, to the oldest Seksawa lineage -- or land distribution; there is an incontestable fact there: the symmetry of both sides of Z'init'. And a symmetry of which the most "legitimate" of the Seksawa are the agents. In this sense, it makes little difference whether this symmetry is an old vestige or arises from a recent restoration; the second hypothesis would perhaps be the most instructive.

Import of This Immigration From the South

166 613 619 The conclusion to be drawn from analyses that one could prolong indefinitely is that the great majority of the ikhs-s composing the Seksawa today originate entirely from immigrants, and not from the authentic lineage, even though the latter is still represented and benefits from tokens of mystic and landed-property legitimacy.

This immigration comes from the South.

166 /In the original source the following four paragraphs are printed in small type./ No doubt we have turned up here and there an immigrant from the N. The case is particularly clear in Ibuban, where this origin gives rise to an instructive etiology.

193 166 619 The country of the Dukkâla was subject to a frightful tyranny. One day a man received a visit from a soldier, who demanded hospitality. This man was poor. He owned but one chicken,

/70 cont./

173 166 619 which he had to sacrifice for his guest. But he had an only son, who, exhausted by hunger, dared to strip a drumstick from the roast. The angry guest then threw the child to the ground. The father killed the soldier and fled to the Atlas.

General folkloric theme? Undoubtedly (1).

[171]

1. We again find the same legend in Kabylie /Kabylia/, and still in order to explain the group displacements, C. Devaux, Les Kebaïles du Djerdjera /The Kabyle of the Djurdjura/, 1859, p. 334.

But also a trace of the driving back suffered by the populations of the Haouz: the Dukkâla, up to the sixteenth century, descended to the outskirts of Marrakech. Let us record this legend for what it is worth. We also again find some Dukkâla in Gund'afa country.

Another legend, but one which refers to the South this time. It deals with a small group vassalized by the a. Lh'sen, the far-away Iguntar. Their traditional origin, Tagenturt of the a. Widjdjas of the Sous, is confirmed by the entanglement of the property of their various ikhs-s in sectors marking the successive steps of an old immigration. The legendary ancestor, Mh'and, had two sons, one Ah'chmud, from whom the present families of Tagenza descend, and another, Mh'and, whose offspring populated not only a part of Tannammert, in present-day Iguntar, but Tinmrutin, Tagadirt, Wallagô, Tajjdir in Demsira, /71/ partially also Akhferga and Amejnes of the Irohalen. These disjecta membra [423] preserve among them the fixed bond of landed-property co-ownership, and once again the value of the land documents is striking.

166 619 [174] The fact is that in the great majority of cases it is an immigration from the Anti-Atlas or from the Sous, from the South in any case, that is related. This phenomenon of expansion from the S. toward the N. is a general phenomenon, confirmed by the

[Idma]

/77 cont./

173 It was a good thing that they did. The woman who had saved
721 them is not identifiable: perhaps it was Lalla Aziza. For the
619 saints conspired in this war of feints and plunder. The scene of broken hospitality is frequent in the past of the mountains. Its color, its cruelty evoke the oldest Mediterranean mythology.

The struggles against the ait Gasa continued throughout the eighteenth century. It was starting from 1214 Heg. = 1798 that
[175] their elimination was accomplished. That was the time of the
[423] great landed-property transfers. Z'init' was freed, the valley occupied first by conquest, then by purchases, according to the classic procedure. Below what the geologists call "the capture of Agersili," another important bourg henceforth enters into Idma history: Wanchkrir.

361 /The following two paragraphs are in small type in the original source./ This village is arranged in two superposed masses. The one below, on a rocky peak, bears, with the habitations, the ruins of a fort attributed to the a. Gasa. The one above, from which is separated the block of the château of a contemporary great chief.

621 The population is a veritable rabble. Here is how it is split
613 up, ikhs by ikhs.
619

Name of ikhs	Legendary origin	Comments
621 619 613 193 a. Ikru, "those of the kid."	Contemporaries of the a. Gasa, but came very anciently from Tafrawt of the Anti-Atlas.	Have the agricultural initium.
a. bu Idder.	Came from Iger n-Tiqqi (a. Gïir).	
a. u Baggo.	Came from Anzammer (Mtugga).	
a. bu Bah'li.	Vestige of the a. Gasa.	
a. Uchchen.	—	
a. Khunch.	Idma, came from Tasselli. I-	These are the
a. Wakrim.	seqqalen from Usikis.	only two conquering branches.

[Ait Lh'sen]

/88 cont./
174 is one Tagund'aft, from which the famous Gund'afa came (1).
619

1. Origin naturally spurned by the latter.

There is also a mound of pebbles, the Rrud'a n-sidi Ah'med u Ali. It is undoubtedly the relic of a lustration. A great saint be-
[776] came /89/ guarantor and patron of the a. Lh'sen. Without his intervention, their crime would not have been pardoned for them. Thus they prosper. From their terrible history, they have preserved only a military tradition and pride in their past. They are found in recent times supporting the ambition of a great chief.

The ground won from the Demsira was allotted among ikhs-s,
[423] and traces of this distribution exist today, to the point of presenting nice symmetries. But the lands were not only won by force. Concurrently, they were bought up from the legitimate owners, and numerous documents referring to the ethnic Demsiri are still exhibited in the proceedings between a. Lh'sen and even a. Abdella. Military prize? granted, but juridical regularization. Violence? granted, but legitimacy. Thus is renewed, across the bloody adventure of men, the mysterious accord of the soil and its peasants.

The Stage of Arrival

121 For the contemporary period, we mean since the beginning of
124 the twentieth century, we simultaneously have at our disposal local witnesses, who put the research in continuity with the oldest tradition, and foreign and critical witnesses: our observers. Now
[631] one thing strikes the latter upon their arrival in the country: the existence of "great caids," like the Mtuggi, and of candidate great caids, like several mountain chiefs. Are they right in attributing such importance to them -- from a scientific viewpoint, of course -- and to put in the foreground the contest between these personal powers and the democratic institution?

Intermittences of Personal Power

173 For this contest was nothing new. The tradition of the Haut Atlas /High Atlas/ preserves numerous lists of chiefs, from which

/90 cont./

181 sacred and the profane, aptitude for history: these four characteristics are correlative.

631 Thus, then, the power of the leaders is completely temporal. It proceeds from the consensus of assemblies, which one occasionally sees meeting with a first appearance of constitutional regularity with periodic comitia, holy places, fixed procedure, etc. It is also by contractual routes, but from which he tries little by little to break away, that the chief becomes greater. He arrogates to [661] himself more than his share of the spoils of the vanquished at the time of distributions of booty. He enlarges his lands through deceit and pressure. It is especially in this landed-property aspect that his citizens see him advance. They are sensitive to it, for it injures their material interests, but also shocks their conception of legitimacy. Deprived of popular assent, the chief tends to become a tyrant. Not without revengeful onslaughts of the jemâa-s, each time that defeat or death weakens his work. Thus tyranny appears as a phenomenon of voracity, of expansion, archaic form of economic concentration. And it stirs up reactions, of which a number of documents are the echo.

/91/ This said, is it not strange that this phenomenon is reproduced at different times, with the same characteristics? For example, the Imt'ddan had their great amghar, whose power projected over the Dwiran, indeed, over the Indmaghus: Bwizugman. It is he who achieved the driving back of the a. Gasa, started more than a century before. The Idma, too, near the end of the eighteenth century, had Lh'âjj Bujmâ, who monopolized the lands of the valley, until the plague killed him and the community got rid of his sons.

Such expansions, one will see, discover their limits in the [423] landed-property customs and the mechanisms of local law. Thus [428] they cannot go very far. Often tradition mentions such a great personage, amghar or other, spread broadly over his landed estates, but who dies without male descendants: everything returns to the collective regulation. Such was the case of Bwizugman, and such also the one of another rich man of the high a. Abdella. These silhouettes of great chiefs are not rare. Over the

/104 cont./

171 of the Sâadians, tried to participate in the game. They did so with more or less good luck or damage. Unfortunately, the little that the sources impart to us about it does not permit specifying with sufficient verisimilitude what the life of these groups in perpetual oscillation, and practicing in a way an agricultural transhumance, might have been at this time (2).

2. Phenomenon observed in Algeria toward the middle of the last century, X. Yacono, Les bureaux arabes et l'évolution des genres de vie indigènes dans l'ouest du Tell algérien /The Arab offices and the evolution of the native modes of life in the west of the Algerian Tell/, 1953, pp. 46 sq.

178 221 The present antithesis between shepherds and plowmen, the latter sedentary, the former moving, and the consequences that one draws from it today are therefore perhaps not merited for the Morocco of the time. In the fifteenth century, the movement appears general. How would the Seksawa, at the time of their expansion of the thirteenth and fourteenth centuries, have avoided it? One hestitates to believe it.

174 648 221 /The following two paragraphs are in small type in the original source./ Not yet completely lost perhaps is the memory of a state of things when the ground of Inzzŭyma, downstream from Bul^{C}wân, long contested by the Ud Besseba^{C}, was the dâr al-h'arth of the mountain cantons. As though by an irresistible vocation, ones such as these persist in cultivating there lots that they rent or obtain precariously from the present rightful claimants, the "collectivities" of the a. Abdella and of the a. Imintanout. The complete absence of documents, the present qualification of "communal," muchŭ^{C} or lmuch^{C}, indicate still today at any rate that the appropriation of land of the landed estate has been traditionally reserved.

[423] [429]

/123 cont./

241 [312] water. Certainly the torrential descent will carry away the pebbles, demolish the walls, bear off the seeds: but sometimes, too, it respects them. In any case, it wets the soil and deposits silt. A risk to run...

Third type: the dry agriculture, on high brows of hills or forest clearings. It is an important complement of the hydraulics. /124/ But we are too poorly informed on the altitude pluviometry to analyze the conditions precisely. The grain-lands always exceed the mark of 2,000 meters in the Tasila and the Azuran. Rye and barley reach good yields there. That explains why the competition for the usufruct of these lands is lively. And why it is honorable. It is a competition between communes and between notables rather than between fellow citizens. The distance is a prize for the rich and for the bold. The only one of his ikhs, such and such an individual launches upon valorizations or clearings, which he will support, of course, with titles. Nevertheless the servitude of a community vocation remains keen enough to impose allotment in certain cases. If some of these grounds, like the Tasila, have been very much appropriated, others, like the Azuran of the Imt'ddan, suggest very closely the custom of distribution among ikhs-s. The vocation of each of these is still clearly affirmed, for example, in the albur of the a. M'hnd.

243 423 613 [621]

241 423 Elsewhere, and about wherever the forest domain rules, the vivification by clearing or by removing stones will often be invoked as the source of right: the litigant has recourse in this case to the Arabic verb t'uww^{c}, and then a Mussulman principle, that of "vivification," in fact works for him. But to what extent is it an old institution? It is difficult to specify it. Perhaps one will find more authenticity and, at the least, originality in the customs governing certain plains of the Dir, on both sides of Imintanout. When the season arrives, a race to the tillage is organized. The first one who marks the furrow has the enjoyment of it for the year. In Seksawa, although it nowhere functions in the manner thus avowed, this practice is implied in everything that arises out of the notion of "communal" muchū^{c}.

/124 cont./

241 And that with a juridical clearness capable of still imposing a
423 distribution among ikhs-s when the acuity of the competition or the exiguity of the land no longer permits the former system to function to the general satisfaction. In a. Lh'sen the word ighimer, plur. ighwamer, is used to designate something like the zone of legitimacy of a family or of a piece of ground (1):

[192]

1. Elsewhere in Seksawa, and also in Demsira, etc., the Chleuh /Shluh/ word az'lag, plur. iz'lagen, is used. Transposed to the echelon of the collectivity, this idea of competency or clearances is not far from that of muchû^{c}. Let us also add, as proceeding from the same "prelaw" basis, that of ad'erg, "route of passage for the animals," Arabic medwez.

in general a geometric projection of the latter on the neutral space that borders it, fallow land or forest scrub. And it will not be our least surprise to bring the word, thus interpreted, into harmony with this ghâmir that the land documents of the /125/ Moroccan North oppose to the ^{c}âmir, as the agriculture in force is opposed to the agriculture of document, or the eminent vocation of a piece of ground in individualized possession.

241 This field of the albur is much larger than that of the valley lands. About ten times larger, on the average, if one believes the evaluations of it made at the time of the successoral divisions. It is, on the other hand, completely penetrated by savage nature. Delivered up in turn to fallowing and to cultivation, to fallow land, to pasture land, to adventitious plants, it is not clearly separated from the space that surrounds it. Finally its juridical vocation, its form, the techniques that it calls for vary
133 in terms of the altitude. These classifications by height are a
241 speciality of this mountain society. The tectonics and erosion have brought about there, perhaps even more than elsewhere in this part of the Atlas, a relief by successive levels. The ground floor of the plain of the Dir, the sometimes spacious trough of

/125 cont./

133 241 the beds of torrents, cut by progressive edges, the vast grassy epaulement terraces, answered by the acuity of the axial chain: each of these tiers inspires a new figure of the field, of the agriculture, of the law, and of the customs.

But to this world of horizontality thus contrived by nature in the bosom of the mountains is opposed another where the vertical, the oblique, the overhang prevail. It is that of the irrigated ground, constructed by man. It is all in redans, circumvallations. Walls and terraces, scaling the slope, superimpose their small, careful planes. The ensemble contrasts by color, character, toponymic density, and human presence with what surrounds it. There is the major type of this economy and also of this history. The irrigated ground is not only a material substrate. It is a social symbol (1).

[121] 1. In the exact sense defined for this term by G. Gurvitch, La vocation actuelle de la sociologie /The present vocation of sociology/, 1950, p. 74.

241 Let us observe the ensemble called Bukhemsin, where each group of the a. Lh'sen has its share. It is spread out on the left bank, between Awinas and Buteghradin, at mid-flank of the ascent, and is made up of two planes, which the path cuts diagonally. We are in March. A luxurious vegetation of barley is already starting to form ears. No break in the mass. Only by sweeping light do some differences in level appear there, depending upon the amount of manure that the different owners have supplied. It is with difficulty if an expert eye distinguishes in a quarter so homogeneous the 150 parcels that compose it. Such a distinction, to one who has no preconceived idea of it, proves impossible. It is at the very base of the barley stalks, and [131] completely hidden by the sprouting, that /126/ ideal boundaries [423] creep: abstract lines, of which only the angles are indicated by a modest stone driven into the earth, awuttu, plur. iwutta.

241 /126 cont./

Only the quarter has a personality, in the toponymy as in the landscape. But it is not united by appropriation, unless one sets it up as a "collective field," which one could not do without [423] abusing the expression. The parcels that are discerned there indeed arise from a molecular ownership, if I may venture to say it. But they hardly have any topographical existence. They are only crumbs of patrimony.

Divisions and Organs of the Field

241 423 Quite abstract as it may be, this fractioning plays its role. But its strength is not tied to a material demarcation, to the consistency of an area. It is connected rather to a verbal affinity. Such and such parcels, dispersed within the ground, are reputed to be the legitimate portion of such and such a family. [691] This qualification is their only defense. There is nothing more striking at the time of legal disputes over boundaries. What is affirmed in the procedure is not the concrete value of a limit, it [191] is, so to speak, the autonomy of a cell. Quite a difference from the Mediterranean type of the fundus. These parcels are defined less by a spatially determined cadre than by the fitting in of one having rights among others having rights. Aided by the modicity of the areas, the identification of each is not local, but onomastic. The names subdivide a quarter, which is itself a division of [634] the ground. Similarly the taqbilt is divided into subgroups, which are subdivided into families. Toponymy and anthroponymy are thus combined to form, with the help of other factors, a diversified and tiered system which is defined by the hold of verbal classifications on pieces of country, by the association of names with pieces of ground.

Let us grip more closely the identity of this patrimonial cell that the parcel represents. In general, it is a minuscule quadrilateral inserted among a multitude of others and defined by this very insertion. Its area is of a modicity that is astounding.

241 /126 cont./
423 Several experimental measurements give as an average:

Inheritance of the ikhs of the a. Watchaw (a. Musa) . . .	30 m^2
-- si Abdallah u. H'ammo (Taselli)	45 -
Sheik Wakrim u Lh'ajj H'fid' (ibid.)	70 -
Chkku Family (Imt'ddan)	26 -
Ground of Agersili (Idma)	102 -
-- of Z'init' (id.)	200 -
-- of Tabratjut (a. Musa)	75 -

241 /127/ Such an exiguity, aggravated by the dispersion over areas occasionally exceeding a kilometer in length, creates a thousand technical difficulties. No less than irrigation, it imposes the meticulous work of the "hoe," agelzim. At any time of the year, they are but bent-over peasants, "interrogating the earth," to return to a magnificent classical expression, and rebordering the smallest ledge of the relief, the smallest angle of the periphery, in order to spread there the windfall of the water. Though the quadrangular form is common, the agriculture does not neglect the minor forms. Thus, the "peduncle" of humus, ad'ar. All the same, a "redan," tighmert, sometimes remains abandoned. But generally, except for the cases of rotation of soles /Fr. sole, in agriculture, the expanse of arable land intended for a certain crop in the annual rotation/, as at Agersili or the a. Mh'nd, the space cultivated in the channel is full, without fissure. That is the very characteristic that opposes it to the spaced spots of dry cultivation, visible on the hill from afar. These fields are of irregular form, while the irrigated parcels, aligned in balconies or compressed into a damp and almost juicy bottom, are fractioned only abstractly and according to a system of four orients, of an onomastic nature.

But this exiguous parcel is often a composite itself. Depending on its area, and whether or not it is level, it may be fractioned into "lobes," tisirit or tirit, themselves divided into
(312) "squares" of irrigation, uz'unen. Or else the emptying ditch will open directly onto one of the latter. This divisibility may also result from the exigencies of cultivation by water, or from

/127 cont./

24| the market-gardening or cereal objective. Many varieties, indicating initiative and individual possibilities, come to diversify here, like the deposit of manure, the continuous and homogeneous band that the bench supports. But that will be evident only with the results, after sprouting. At this moment, as one has seen, the marks of appropriation are buried under the verdure, but the ensemble seen from above gives the effect of a patch of scales. The shades of green, like the germinative power, differ according to the subjacent property. A practiced eye can then decipher the whole network of land.

Thus the hierarchy of organs described above is formed in this way from the base (1):

1. For the Chleuh /Shluh/ nomenclature of these different forms, refer to our "Glossaire notarial ... /Notarial glossary .../," R. afr., 1950.

-- the square, first technical unit;
-- the irrigation bed, grouping several squares (optional);
-- the parcel, first cell of land, grouping several beds or squares;
/128/ -- the quarter, topographical, social, and technical unit at the same time, grouping a certain number of parcels served by one intake on the ditch, but possibly spreading over several benches;
[423] (613) -- the ground, topographical and political unit: a piece of landscape appropriated by the agriculture of the group, and distributing, as one will see, among the different quarters of which it is composed, a well-regulated sampling of the patrimonies of the ikhs. This ground is itself fashioned into "countries," with the habitat of the group, put together or cut up, and its hold over the soils and plants, more dense in the bottom of the valleys, more scattered in the ilburan (plur. of albur) that vertically hang over the village, embedded in the montagnard silva.

/128 cont./

241 In such a system, the privative appropriation comes down,
423 according to the modes peculiar to the irrigation, to the most passionate individuation of the work and of the feeling, of the trouble and of the persistence of the man, therefore, of his rights. Completely to the contrary, the dry cultivations, ex-
[184] tensive and intermittent, are done in the muchâ[c] or muchû[c], a type of collective. But these two types together contrast with the disposal of the forest or pasture, regulated only by political rights and the international balance. Nevertheless, within the irrigated ground itself, an order regulates the parcellary distribution. Qualifications of birth and of kinship are more essential here than boundaries and, one might say, than the compost itself. This plot, almost bare of matter, acts as and above all counts as the illustration of civil status.

178 This perhaps explains the tenacity of this man with his complications, with his deficient methods. Everything takes place, on this historical mole of the old, sedentary civilizations of the Maghreb, as if a peasant society were seeking, in the economic paradox, the exercise of itself.

Magic or Technique?

241 Human work does not only have to reckon with the resources
789 or the resistance of the milieu. Beyond the waters, the soils, the plants, it must reckon with a benevolent or malevolent power, diffused in things or being specified in figures. And the appreciation entertained for the activity of the peasant group will be very different according to the scope of spontaneity, of conscious bearing, and of efficacy that it arrogates to itself in relation to the invisible friends or adversaries, and according to the degree of existence that it recognizes for them. There has been a great
114 deal of insistence in Moroccan ethnology on the "magic" char-
241 acter of /129/ the agriculture. In this regard the work of E.
789 Laoust offers a store of information. The "mort du champ" /death of the field/ and many other ritual deeds are described there, with reference, if not to the Seksawa, at least to the nearby Mtugga, among whom characteristic harvest-customs have

/From p. 150 of the original source./

312
102
423
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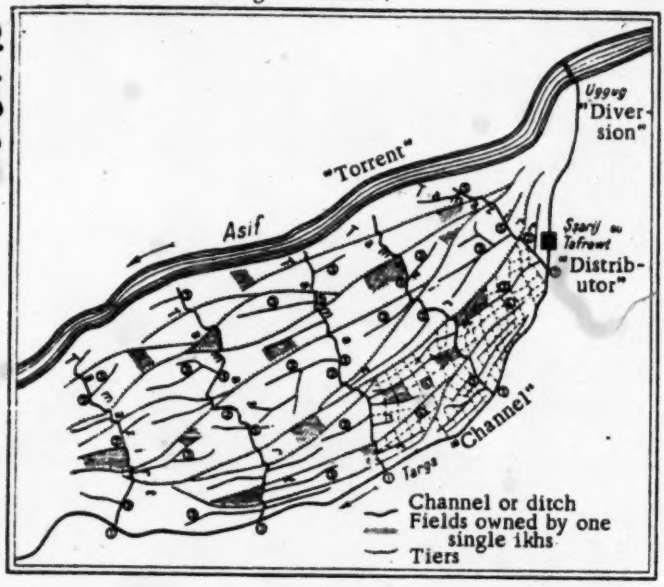

Fig. 7. -- Schema of the irrigation of a valley ground.

The "channel," targa, leaves from the ççarij, or chcharij, "distributor." It is divided into "distribution ditches," asaru, 2, plur. isura, which leave from "principal intakes," açder, plur. içdar or içdran, or further ighin, plur. ighaniwin, 1. On these ditches function small earthen sluices, taghamut, 5, plur. tighuma, opening on the "discharging ditches," isura, 3. Irrigation planches, tisirit, tisaratin, are themselves divided into a last agrarian subdivision, the "irrigation square," uzun, plur. uzunen, 4.

/153 cont./

241 covered with small bushy growth and fodder plants that have dis-
178 appeared elsewhere. The land has remained richer and does not affect from afar the glossy polish that shows among the trees of the Mzawt. The decadence of the soils and the ruin of the high fields are obvious in the principal valley. Upstream from Lalla Aziza, a cemetery of almond trees. Downstream, notably near Imt'ddan, visible abandonment of the fields in balconies, which climbed two-thirds of the way to the crest, and the plaques of albur on the elevated brows. A color of the soil, a different vegetation, characteristic "screens" still mark these places. One reads there the effects of a former deforestation, which doubtlessly had a definite cause. There doubtlessly was an accumulated play of natural and human factors to ruin this historic axis of the Seksawa. But beyond individual causes, there is a permanent one for it: the vulnerability of the system. Neither benches, barriers of pebbles and branches, nor ditches of earth withstand a moment of weakness or forgetfulness. The loss of the high pastures soon entails, by the rarefaction of the livestock, thus of fertilizer, the sterility of the soil. Internal discords immediately engender drought through the abandonment of the ditches. This system, skillful but posed rather than anchored on the soil of the ancestors, then submits to the ransom for its precariousness: it dies without even leaving great traces. This horticulture exists only as an exception. Lodged in an eternal cadre that makes one see permanence where there is only ingenuity, it is slave at the same time as ruler of man.

A Distributor Genius

312 Collection; irrigation: between the two, a phase of purely social emphasis, that of the distribution. And all the more essential because the milieu reveals on this occasion a dazzling, an exorbitant virtuosity. One distinguishes at least three styles.

312 The first method, the one most bound to the montagnard
613 closeness, is that of the gentilitial distribution. Disregarding the
423 losses by infiltration, escape, evaporation, it leads the water to all the fields /154/ of one ikhs, even if they are far from one another. And as a general rule they are. It thus passes over the

/154 cont./

312 613 423 vast intermediate areas that separate them. It is discontinuous in space. It makes the turn of each of the ikhs-s alternate in time and makes it come again according to a periodicity peculiar to each group. This rhythm is naturally a function of the abundance of the debit expected, of the number of the ikhs, and of local preferences for such and such a series.

/The following listing is in small type in the original source./ 1st. The last village downstream to apply this system is Tuz'z'umt. At Tuz'z'umt, in fact, and for that of at least two séguias peculiar to it (the Targa n-Z'alt, from Agawz), the distribution operates in 12 turns of one day each (from ᶜaçr to ᶜaçr), allotted among the ikhs-s. The other séguia, the gigantic Talh'archt, common to all the a. Abdella, obeys other principles. But from Tuz'z'umt upstream, the gentilitial distribution prevails.

And here are some striking examples, borrowed from the Haut Seksawa.

2nd. In Iguntar there are 9 séguias. That is to say, from upstream to downstream:

t. n-yattuyn, t. n-bu teghradin, t. uzeddar, t. n-ddutgumma, t. ugerd ugadir, t. n-a. Mh'nd u Mh'nd, t. n-tghula, t. u-wrti n-H'chmad, t. n-tawart.

[525] [634] The irrigation turn is decided by "drawing lots," s-tekchchut't', in the presence of the whole jemâa, among the members representing each of the ikhs-s. This drawing takes place each year. The length of the turns is proportional to a surface evaluated in lengths of reeds, and whose computation is periodically readjusted. An old document -- such at least is its appearance and the inference that its content authorizes, for it is not dated -- mentions probably the last of these computations. The merry-making that followed cost about 50 reals advanced by notables. The division, which still prevails at present, of the water roster into 12 days, accruing unequally to each of the ikhs-s, is fixed very precisely in the document.

But the properties of each of the benefiting ikhs-s are entangled with those of the others. No correspondence between the topography and the rhythm of distribution.

/154 cont./

312 613 423 In fact: except for the a. Naçr, who have their lands grouped in the immediate surroundings of the village of Tagenza, the 4 other ikhs-s are all represented in each of the quarters, but it seems without any definite part where the "parcels" under their jurisdictions are grouped. The entanglement seems to be greater and greater from upstream to downstream. In all the "quarters," except for what concerns the a. Naçr, only two do not group the integrality of the ikhs-s: Tamayust and Talšint u-wdi. All the others contain a whole sampling of ikhs-s.

3rd. At Fensu there are 10 séguias. Some come from the high valley of the asif Uziwal, others from the direction of Tasa. This abundance of water makes the portion a day and a night. Eleven turns, including that of the mosque. These turns fall to the ikhs-s, which divide /155/ the water among the foyers in proportion to the surfaces. At the top echelon, which is that of the distribution of turns among ikhs-s, the topography does not count for anything, each ikhs irrigating in turn its lands scattered over several quarters.

4th. At Tasa, three séguias and two orders of distribution. The one bears on the Imengad' and Anngar séguias, the other on the Ti-n-wammam. Here are each of these two orders:

1) a. Ggahi, a. Badis, a. Mh'nd u Mençur, a. Khald, a. H'ddan, a. Skurin, a. Yah'ya, a. Ch'šib, Izzuhra, a. Mazuz. Plus a turn called ass i-ymengad', privilege, moreover transferred, of the one that regulates the source.

2) a. Badis, a. Mazuz, a. Sšid, a. Lh'sen, a. Chšib, a. Izzuhra, a. Berka. Plus Aternaggo (individual privilege).

The irrigation rotates by ikhs-s, but within them it is adjusted according to surfaces and gives way when necessary to a drawing by lot, according to the general procedure.

A second method is called taghamut s-tghamut, "sluice by sluice." Without concern for appurtenance to the ikhs, it irrigates by large pieces that are continuous and contiguous to such and such a sluice. The order observed among them is from upstream to downstream. It is a form of decadence, of rupture. It may be due to either a particular abundance of water, rendering useless

/156 cont./

312
423

Beneficiary of the turn for irrigation	Day of the week						
	S.	M.	T.	W.	T.	F.	S.
1) ait Ddaud.	For the morning	Up to the âçr					
2) ait Mençur.		From the âçr	All day				
N.B. There is an annual rotation between these two subgroups.							
3) Section of the valley between Bukhemsin and Zzit u Bachtut.				From the âçr	All day	Up to the morning	
4) Section of the valley between Amelwan and Urti n-Sâïd below.						All day	
5) Lands served by the Targa Wukhriben.							All day
6) Lands served by the Targa Wukhriben. Tabratjut. Awinas, Agadir.	x	x	x	x	x	x	x

/156 cont./

312 423 624 A third method subordinates the irrigation to the evaluation of the amazzal, who judges in a discretionary manner the need that the crops feel for it. In a society of so contentious a spirit, one is surprised that such a method is possible and does not unleash inextinguishable litigations. There is none of that: there one is on a plane of rural order, prejuridical in a way.

/157/ /The rest of this section is in small type in the original source./ [178] It is according to this third procedure that the Talh'archt séguia, of the a. Abdella, was traditionally administered until an administrative reorganization intervened only a few years ago. [173] The amazzal was chosen in the old family of the a. L'anayt of Ilutjan, whose members still today occupy, on the knoll of Tigudar Ijjawn, facing the n-Lmakhzen agadir, places that tradition always connects with a "Caid 'Abdallah Sseksiwi," doubtless the king of the fourteenth century. These legendary persistences give an idea of the foundations of such a rural order and what forms its solidity.

[178] Indeed, the organization observed in a. Abdella is undoubtedly not a form of decadence. But rather, just as in a. Lh'sen, a form of amplification. These two taqbilt-s have surpassed the cantonal echelon. Consequently another rhythm governs them.

The Order of Irrigation As Document

312 423 178 [613] Moreover, where there is decadence, all the signs do not occur simultaneously any more than they affect in equal fashion the different orders of phenomena. In a. Abdella, despite the mobility of the landed life, the disaggregation of the milieu, and the absence of a water roster, a certain distribution of the ground among ikhs-s is still decipherable. As a general rule, however, the gentilitial rhythm of irrigation still exists, when the play of factors of change has distorted the order of the patrimonies. Nearly everywhere the turn for water reveals an old order.

This discordance between the evolution of landed property and the unchangeable cadre of the hydraulics, itself linked to the

/157 cont./

312 423 178 structure of the milieu, and to a certain scansion of the times, is of keen documentary interest. It perhaps reveals a former stage of this montagnard culture and permits discovering, beneath the individual variety that female inheritances and mutations have amassed, triumphing over many obstacles, the authentic rudiments. Secondly, it acts in itself as a conservative brake. The water is by no means "attached to the land," as our books claim. But the land and the water, correlatively, are attached to the group. One who sells or lets alienates a part of the collective personality, which is serious. In addition, the evasion of the right for water out of the turn of the ikhs, the intrusion of a third party in the roll of "sons of the uncle" cause a perturbation that the collective organism will try to eliminate. In fact, these mechanisms imply delicate connections between all the elements of an agrarian order. If one of them happens to be missing? It is a cause of conflict and failure in these operations of great style that the maintenance of the ditches, the repair of the sluices, the pulsation of the precious fluid according to an impeccable /158/ time switch constitute. Any lag between the gentilitial appurtenance and the tenure of the soil thus arouses reactions that tend toward the eviction, peaceful or not, of the foreign body. Firm or resolutory sales, inheritance by the women meet the opposition of new conservative mechanisms. In this sense one can say that the system of water distribution is a veritable legitimacy machine.

When the forces of mutation sweep it away, whether by their own action or by the decadence of the community or simply its technical resignation before too much complexity, the old mold shatters. The turns for water will henceforth be based on something else: the estimation of experts or topographical continuity. At the end of this evolution, the portion of water, attached to a certain landed property, would flit from hand to hand according to [425] the uncertainties of individual transactions. Even worse, completely detached, it would itself form the object of sales and loans, of pledges or speculation: these last two stages do not appear 312 among the Seksawa any more than in the neighboring groups. For 423 stronger reasons one does not observe there the supreme stage that 171

/158 cont./

312 423 191 is constituted by the auction of water, of which Brunhes has given, for the Valencian Elche, so strong a description (1).

1. Op. laud., p. 98. Other examples cited by Joaquin Costa and others, Derecho consuetudinario y economia popular de España /Consuetudinary law and popular economy of Spain/, Barcelona, 1902, t. II: the water market at Alicante, pp. 135 sq. The hila also bears the name of dula, evidently Arabic: dawla = Chl. /Shluh/ tawala. For Spain itself, perhaps it would be interesting to compare the strange measure of irrigation called hila or hilo with what our Mez'ud'a call lme ref and the a. Abdella lmçerf. The first give it a precise definition: it is "module of irrigation whose full use can be assured by the unit of habitual agricultural work," to wit, the work of one man in two days or of two men in one day.

312 182 On the contrary, what is striking in the Atlas is a prodigious organization. A discordance is even manifest between the social rhythms almost perfect, or postulating perfection, which preside over the division, and the mediocrity of the material, such as the tools. The nice equilibrium, the consummate science of the distribution contrast with the precariousness of this whole hydraulic system. The disproportion between the social constructions and the material techniques bursts forth. It surprises all the more the "European" or the "modern," whose analysis generally overlooks the meticulous harmony of the former. Thus the prestigious work by Brunhes nowhere discloses, in the section that he devotes to the Maghreb, collective modalities in the administration of the water (2).

312 114

2. Op. laud., pp. 73, 251. Is it not significant that, inversely to the preoccupations of the

245 /167 cont./
[178] industry, notably at Ikis. But one could think that the present monotony of species is a recent trait and that their variety was greater in former times. In any case, several indications of this exist in sectors which other traits permit one to consider as having safeguarded better an ancient originality: thus, the I. Geryun and Sekrat. In I. Geryun one finds in open space the shoots of ancient apple trees, lh'lu, and cherry trees, asemlal.

Thus a lively contrast sets the tree, which grows itself, in opposition to the field, which is made. Whence, in a society with rural, yet firm techniques, a relative and paradoxical disgrace of the arboriculture. The latter is entrusted to fate, whose steps, represented by the drought which shrivels the fruit, the fog which develops the parasites, the wind which makes the flowers fall, and the insect, which God alone knows, escape the action of man. Having reached /168/ such a degree of agricultural quietism, the montagnard will plant no more: for the olive tree, the suckers will take it upon themselves to grow; for the almond tree, it has proliferated once and for all beyond any possibility of maintenance. Generally, the effort of planting is a matter of the great ancestors. Thus with these beautiful squares of olive trees, which surround intercalary crops, as one sees at Taqennurt, in the same style as in all of the Moroccan South. Who planted all that? Mystery. Some speak of Andalous /Andalusia/ for the olive tree, just as any monumental ruin makes one think of the mythical Portuguese. The extreme case is that of the argan tree; to tell the truth, having taken refuge far to the W., it no longer affects our sector. But what a confirmation to what has just been said in the native legend, according to which this tree cannot be replanted! In contrast to the tree, the field, it, in its very material, this earth fashioned into tiers, requiring water and fertilizer, proceeds from a untiring desire. Tree given, field constructed.

423 245 [171] While for the Mediterranean peasant the tree is individual -- to the point that in Kabylie /Kabylia/ the ownership of a branch is divided among several -- here the usufruct includes an initial share of indivision, and there is a community harvest. Of course,

/168 cont./

423 245 the tree is private property (our sector is not familiar with the collective argan tree). But the "harvest," azegg^{w}ay, is collective. Interesting organizations intervene at this time. If, on the landed plane, the orchard is divided into individual lots, the plantation coincides in general, and by great masses, with the part of an ikhs. But dispersion among "quarters" would produce, it is said, irremediable confusion at harvest time if the harvest were not done by collective bans. What is the explanation worth?

Let us take several examples:

245 476 184 [624] /The following paragraphs, up to the last one in this section, are in small type in the original source./ In a. Musa, the harvest of almonds is done quarter by quarter, within limits for which guardians, imchchurd'a, are responsible. The work is collective and echeloned. The almonds are put in a pile and then divided "by basket," s-taryalt, in proportion to individual rights, after the shares of the saints and the workers have been subtracted from the pile.

[613] In Imt'ddan, tetrapolis where the initial equilibrium of the ikhs-s is manifested by a nearly regular land-sampling on all the grounds, the harvest of almonds, done in common, gives rise to the laying of heaps of fruits (20, for example, for the almonds of Tagunit), which are then divided by basket among the ikhs-s and, within these, among those having rights.

In a. H'adduyws, except for recent trees, exploited individually, the whole orchard is harvested collectively and the fruit is divided by basket, after, if it takes place, the removal of a fifth [624] for the work force. The imchchurd'a /169/ occasionally take turns on watch, as at the outlet of the ravine of Ikis, and thus have the harvest discipline respected.

In Haut Dwiran, the harvest is done by collective ban: one "ties" the valley, qqen. Then one "releases" it, rz'em, zone by [613] zone. The work is done "by echelonment," s-warrabo, among the ikhs-s, whose name here is arktun, plur. irktyun. The practice is likewise applied to the gathering of carobs, which are scattered on the ground in September, but no one is allowed to gather them.

[Ait Mh'nd]

/181 cont./

311 103 dome stretching from these rocks to the Ameznir, and which bears the name of Un-an, Tag^{w}d'ayt, etc.

● 423 311 On each of these quarters, all moreover privately appropriated, is affirmed the vocation of each ikhs, just as on the irri- [613] gated. But the distance, the difficulty of transport, and doubt- [578] lessly also the character of confines that, even on the scale of these cantons, these expanses offer in relation to the density, to the proximity, and, if I may venture to say it, to the "presence" of the irrigated ground, all of that results in the fact that the rivalries between the powerful are given a free course there, more or less excluding the weak. But the latter are aware of their [103] rights. In August, 1950, interrogating with J. Dresch a modest livestock-breeder met on the side of the source, we were able to note that he enumerated, as his land right bearing on all the albur quarters, the following names:

-- periphery of the crater: Anammer Udrar (on the Zkkat'), Inwalen (on the Awrir Iwiggin);
-- in the direction of the Ibuban: Griighrad'en, Anammer n-a. Lghachi, Unan (toward the Tizi Unluf), Talâint Umeznir, Ag^{w}ni n-Ish'aq, Akhbu^{w}wagaywar, Albur i-ysekni;
-- finally, in the thalweg: Imd'rar, Az'ru n-tmedda.

That is, for a very small country, a dozen quarters where, if one may say it, his vocation as owner and especially, in the case in point, as claimant will be exercised; this "right" ends up by constituting a sort of permanent blackmail of the poor.

423 182 Let us say, in anticipating a little, that this rule has been cross-checked many times. It presents itself to the people of the country with the clearness of an organic law. It unites the life of the group and guarantees its equilibrium, through the judicial and moral tensions that, no less than the fruit of the fields, form its vitality, its virility, and ensure it against the precariousness and the perils of mountain life.

[Ait Mh'nd]

/182/ Toponymy of the Irrigated Ground of the Ait Mh'nd
/Left side of chart/

• 423
103

Names of quarters	Names of subdivisions of quarters			
Twuttyan (cf. awuttu, "limit").	Talghachit (derived from an ikhs name).	Agerd^{w} Wazar, "col of the fig tree."	F-usderm-an, "on this escarpment."	Iwchchah'en.
	Dar-uzerg, "at the mill."	Ifdisn-an, "the walls of dry stone."	Taglagalt-an, "the place where the waters stagnate."	Uzrar, "thirst" (very dry place where there is gravel, "lmezrar").
Tacddut, "the declivity."	Wa-lemri, "the reflecting."	Asdrem^{w} Wanz'-et't'a, "the escarpment of the a." (cf. below).	Ihlawen (derived from a name).	Ush'aq (derived from a name).
Tighermin, "the fields in tiers."	Amlal Wuggu-g^{w}en, "the fine sand of the catchments."	Tagh^{w}zit n-ait Said, "the field of the a. S."	Ughzif n-tghermin, "the fields lengthwise."	Agd'ay n-tghermin, "the pool of the fields."
Amegdul w-uzddar, "the park below."	Bu-ih'chach, "the huts."	Talh'chut, "the pebbles."	Dar wad'il, "at the vines."	Mm - wamimrad (plant name).
Amegdul ufella, "the park above."	Amegdul Ichahan, "the park of I."			
Tawddwa.	Targa n'ayt Zbayr, "the séguia of the a. Z."	Makan^{w} uchboro, "beyond the retrenchment."	Tamalut l-Leftrug, "ubac of L."	
Anammran, "the adret."	Adukk^{w}ali.			
Ddu-wanz'et't'a (*anz'ell'a*, "pellicle of moss on a stone or on the water").	Tagh^{w}zit m-Mazuz, "the field of M."	Findus.	Tighedwin-an, "the poles" (long and parallel parcels).	Mm-ti-leh'la, "at the apple trees."
Tafarnut, "bread oven."	Tafarnut n-ayt Umghar.	Tafarnut n-a. Bakhkha.		

/adret, flank of valley oriented toward the south;
ubac, flank of valley oriented toward the north./

1: Berque--257 Z-5 (ca. 1950) 1955. MW11 Shluh MW11

[Ait Mh'nd]

/183/
/Right side of chart/

103
423

Mm-uqel-mun, "in hood form."	Im-tmid'i (ti-mid'i: "the 100 wal-nuts").	Agerd' wad'-il, "the col of the vine."	Agh^{w}zafan, "length-wise."	Bu-tfaliyn, "at the fallen rocks."	Tar agharas, "without road."
Imi l-lutrat, "the open-ing of the harness collar."	Ag^{w}mmad' i-yghzer, "the bank of the ravine."	Bu-lh'chu, "at the gravel."			
Tamggay-nant, "the damp hol-low."	Ddu-taswikt, "under the walnut tree."	Mm-telggut, "at the aloggo (genista)."			
Ag^{w}mmad'n - tafrawt, "the bank of the basin."	Iknwun, "the twins."				
Ag^{w}dal-an, "the park."	Aghdaw wag-mar, "the pole of the horse."				

[Ait Mh'nd]

/184/ Toponymy of the Irrigated Ground of the Ait Mh'nd (cont.)

423
103

Names of quarters	Name of subdivisions of quarters		
Afud-an, "the knee."	Amlal^{w} wafud'-an, "the fine sand of Afud'an."		
Talat n-tenghort, "the hollow of the excavation."	Lluz n-ait Naçer, "the almond trees of the a. N."	Tinummar l-lmechh'i, "the adrets of the dry fruits."	Tagh^{w}zit u-wamalw-an, "the field of the ubac."
Tagenza ufella, "the talus above."	Ddu-Tgenza, "under the talus."	F-ugenza, "on the talus."	Amlal n-fu-wasif, "the fine sand above the torrent."
Ddu^{w}-wsderm, "under the escarpment."			
Wankutuf.			
Ddu-tg^{w}mma, "under the houses."	Içd'ar-an, "the sluices."	Talat n-wkhrib, "the hollow of the ruins."	
Ddu-wz'ru, "under the rock."	Amlal l-ymzilen, "the fine sand of the blacksmiths."	Ait Lamin.	Ait Bakhkha.
Ughad', "of the goat."	Ibh'irn n-ait Umghar, "the field of the a. U."	Ibb'irn n-a. Lah'sen u Sâid, "fields of the a. L."	
Ighermân-an, "the parcels."	Tagh^{w}zit n-ait Abdennur, "the field of the a. A."	Tigh^{w}ziwinn ait Umghar, "the fields of the a. U."	Amlal n-ait Umghar, "the fine sand of the a. U."
Dar - Talmechmacht, "at the apricot tree."	Tagh^{w}zit n-a. Umghar, "the field of the a. U."	Tagh^{w}zit n-a. Abdennur, "the field of the a. A."	
Tifraïn, "the small basins."	Tagh^{w}zit n-ait H'sayn, "the field of the a. H."	Tigh^{w}ziwin n-a. Umghar, "the fields of the a. U."	Tagh^{w}zit n-a. H'ammu u-Bella, "the field of the a. H'."

[Ait Mh'nd]

/185 cont./

103 spacious "albur" quarter, such as Unan, the irrigated quarter, ddu
423 waman, is very exiguous. But it is itself a vast multiple of other elementary cells, being able to go as far as the humble series of "parcels." Would it go even to the "parcel," if our study could go down so far? "Each tibh'irt has its name": such at least is the saying that one hears uttered spontaneously during this kind of inquiry. Concerning the land, however, it is necessary to state that if the "quarter" is split up into secondary names, there is no /186/ /left side of map appears here/ /187/ /right side of map appears here/ /188/ name for each tier, still less for each parcel. A variable density of names is, moreover, observed by the peasant himself. If he does not have any abstract notion of "quarter," he obviously carries it out, and the etiquette of the terms of tamazirt or ar. /Arabic/ bot'ra. One sometimes hears tighmert, put in connection with ar. rokna, "corner," doubtlessly "corner of earth." Tighmert was defined for me as designating the convex angle that the salient of the talus delimiting the tier forms, while the area thus circumscribed was called tawz'z'ut, plur. tiwz'z'a, this is, perhaps: "the redan" and "the recess."

[823]

The picture above, drawn from direct information at the places, shows that, for 25 quarters properly speaking, about 80 names of lesser local units are known. That is, three or four toponymic submultiples for each quarter. But this density is very unequal. The central quarter of Twuttyan, the best irrigated, the most harmoniously placed at the heart of the ground, a privileged quarter in a sense, contains 17 names in itself alone.

Mechanism of the Irrigation and of the Crop Rotation

312 This whole ensemble is not irrigated by less than about 15 ditches, each having its name. Here they are: Targa umegdul, t. ti m-mkan Uchboro, t. n-a Zobayr, t. Umegdul, t. n-tuz'z'-umt, t. n-tarmin, t. n-dda-Wanz't't'a, t. n-tfarnut, t. n-tmazirt, t. g-ifdisn-an, t. n-temj'j'ut't'-an, t. Wankutuf, t. w. Ugdal-an, t. Waghad, t. n-ddu-wz'ru, t. y-iger zegg^{w}aghen, t.

[TEXT CONTINUED ON PAGE 263]

1: Berque--261 Z-5 (ca. 1950) 1955 MW11 Shluh MW11

[Ait Mh'nd]

/Left side of map, p. 186 of the original source/

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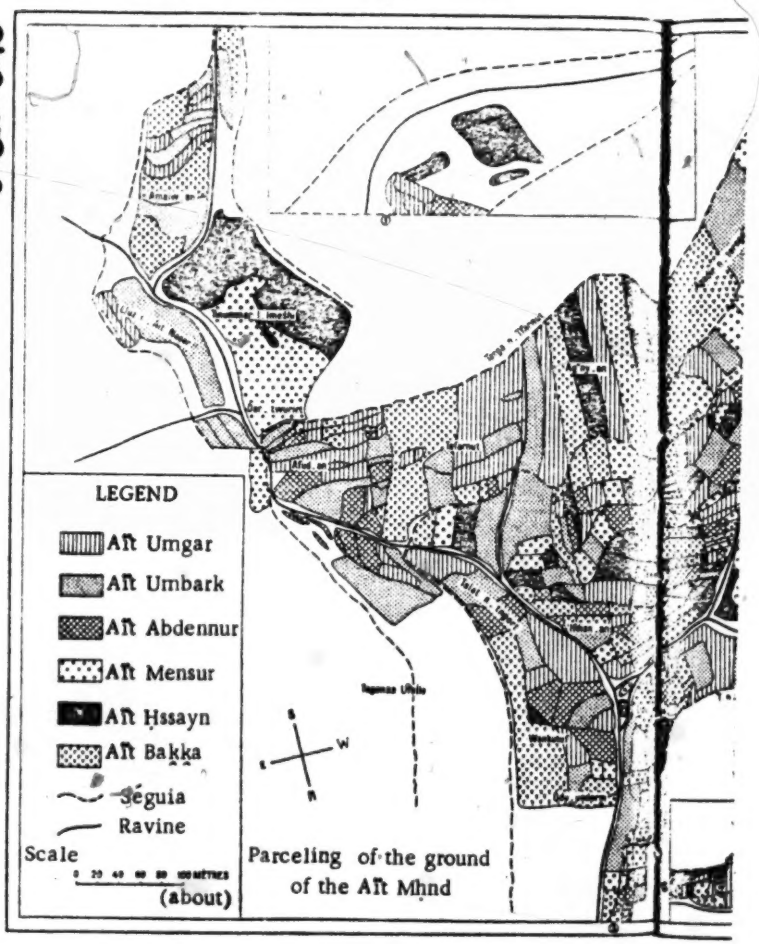
133
312
• 423
613

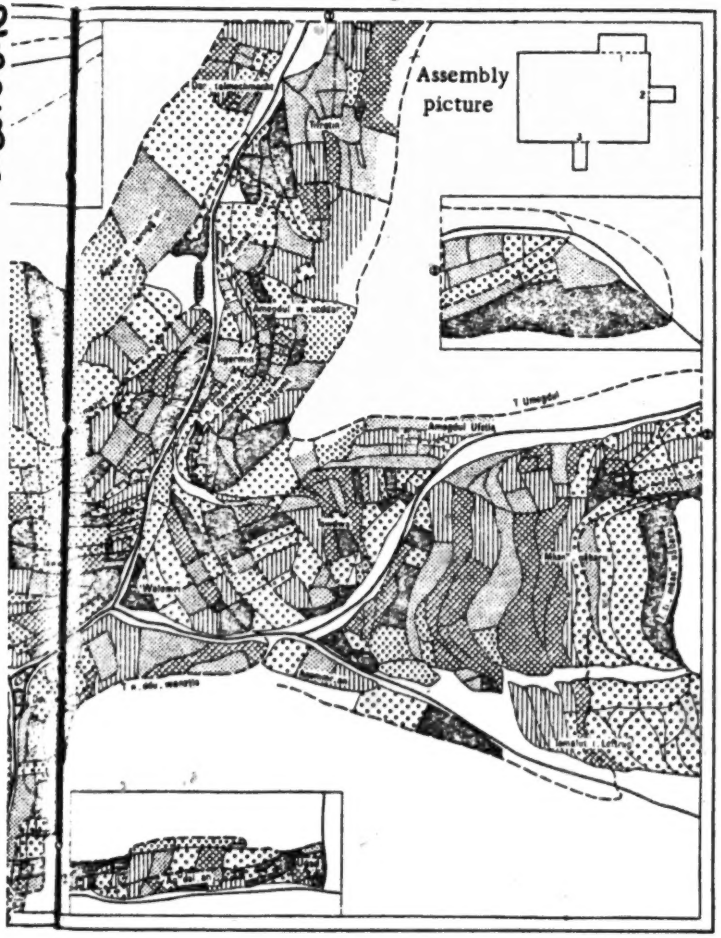


1: Berque--262 Z-5 (ca. 1950) 1955 MW11 Shluh MW11

[Ait Mh'nd]

/Right side of map, p. 187 of the original source/

102
133
312
423
613



[Ait Mh'nd]

/188 cont./

312 n-dar uzerg, t. n-talat nnur (accessory, collects the streaming water).

312 423 The irrigation mechanism has been dealt with above. It only functions, or in other words the water roster, tiwaliwin, only goes into effect, at the time when the low-water level, at the beginning of the dry season, imposes regulation. Thus it is this physical factor that will impose recourse to the rhythm of distribution. Similarly, and within each portion, in case the module is insufficient to irrigate simultaneously the ensemble of those having rights, there will be a drawing of lots among them. It is [241] still this pure question of fact that will determine whether or not there is a possibility of cultivating on the stubble fields after the 242 barley harvest and of laying out the market gardens. On the other hand, what does not depend on outside circumstances is the biennial crop rotation, by alternated soles (Fr. sole, expanse of arable land intended for a certain crop in the rotation/ of barley and maize, which we see here. This movement bears on only four quarters, which are, to tell the truth, the best irrigated ones and like the heart of the ground: Twuttyan, Taqddut, Tighermin, Amegdul. The figures given above indicate that the crop rotation functions over some 25 ha., that is, over half of the ensemble of the irrigated crops.

Comments on the Parceling

613 423 Over all the expanse of the irrigated ground, each ikhs is represented by several fields in each of the quarters. Without exception. Despite sales, female inheritances, pledges, usurpations, etc., this rule /189/ still stands out from the perusal of a parceling established in 1948 (Fig. 8)[1] and about which it is advisable to state that it is the work of a young agricultural engineer uninformed about the custom and consequently not suspect a priori. In the numerous cases of the rrahn-s, he evidently noted the possessory situation. One will also observe -- and this deformation is interesting -- that the four superadded ikhs-s were indicated as being mingled with those of the basic ikhs-s, which are in a way

1, [For figure 8, see pp. 261-262--Analyst]

[Ait Mh'nd]
[Agersili]

/189 cont./

613 their respondents: another trait of structural permanence. The
423 informants on the scheme evidently based their own declarations
[312] on what they knew, as a. Mh'nd, on the distribution of water: confirmation of the integrally gentilitial nature which affects the latter. Finally, the figure thus obtained gives an idea that still remains below the regularity attributed by the local interpretation to this parcellary sampling of the ikhs-s among the quarters. Examination of this scheme, as it is, and subject to the above, is nonetheless conclusive.

One will observe the denser concentration of the pieces toward the center (Twuttyan and others): evidently the alternation between the soles implies that, in each, each one is represented equitably. Elsewhere, on the contrary, the parcels are more spacious. At two peripheric places (Ag^{w}nian and Mkan Uchboro), they affect a parallelism in strips, which evokes a systematic division.

B) Another case of montagnard classicism: Agersili

133 J. Dresch describes, under the name of capture of Agersili, a characteristic phenomenon of the changes in basic levels intervening on both sides of the sub-Atlas flexure. A whole ramification of valleys with a mature appearance, descending from the flanks of the Tabgurt, extended through the Inraren Z'dinin threshold into a depression with gentle slopes, the Ighzer n-Tzemzgart, toward the Ammern torrent, where it flings itself to the height of Ad'erd'ur. But the upstream system was collected by another ravine, this one abrupt, the Ighzer Wanchkrir, which seized it through a sudden denivellation, forming a cascade, and drawing it toward the main valley. The ressaut is 300 meters. It is that "the progression of the Ighzer Wanchkrir has been favored by the weak resistance of the Ordovician schists hugging the length of the sub-Atlas accident." Coming from the source of the Amerdul and from the high pastures of the Tabgurt, concentrating the moisture from the snows that cover Agersili for two or three months each year, a stream of water gushes downstream.

[Agersili]

/190 cont./

241 133 Agersili, with its terraces descending over some 80 ha., is the most beautiful and, all allowances being made, the most colossal example of crops in tiers in this part of the Atlas. On the two faces of a ravine, the system extends over three kilometers. We shall command a better view of it by backing up to the flank of the Tabgurt, on the side of the small intermittent source called Talat wuz'ma. From here our view plunges into the axis. Toward the N.-E., on the right, there appears to us a limestone peak pointing like an arrow to the Agadir waleggu. In the background, the dome of the Tindri, which commands Ikis. [361] On the right bank of the small valley, two villages of dry stone, Agerd'ayan, the more important, and Twurirt. What is striking in the crops at first glance is the alternation of colors, which the rotation of the soles brings about, according to the season.

311 312 The ground is divided into quarters, each corresponding to a principal intake, aḍer, on each of the 11 channels, that is, from upstream to downstream: targa n-Talburt, y-imi n-tanut, ddu wg^{w}erd'an, umalu y-imi y-iz'ma, wannammeran on the right bank; n-tghuni, n-tsila, y-Irzzi, w-wammas, wanammer, y-imi y-iz'ma on the left bank.

634 613 • 423 619 This irrigated ground, about 40 ha., belongs to the Idma. A first analysis registers their subdivision into six great ikhs-s. But, although these six names are also found within the limits of the other bourgs, in general there is specialization of submultiples of ikhs, if one wishes, among these different sectors. Here, it is essentially the people of Usikis who cultivate, at the same time as lower, on the deep terraces of the village (a staircase with 200 steps), and at Imi^{w}Usikis and Tighwla in the main valley. The ensemble of these four grounds constitutes the /191/ irrigated part of the bounds of Usikis. The lion's share. At Agersili, for example, among the representatives of the great ikhs of the Iseqqalen, we distinguish: a. Lh'ajj, a. Warh'man, a. Zbayr, a. Unejjar; among those of the great ikhs of the a. Mh'nd u. Abdallah appear the Ih'chtrag, the a. bu Mh'nd, the a. Berka; among the a. Ilarzg the a. Berchman and the a. Lehri. Other subbranches will appear at Ad'erd'ur, Wanchkrir, or Tanssmekht.

[Agersili]

/191 cont./

634 619 613 This specialization by sectors seems to be a corollary of the amplification of the group. It is complementary to another rule ordering the equilibrium of the group on the space that it occupies, by the minute samplings. Thus it is that the Idma are divided into five branches. They themselves are divided in.o 33 [162] ikhs-s, two of which now extinct. The average size of an ikhs can thus be estimated at 13 houses, 15; 5 foyers, 67; 74 persons. Of these five branches, four are represented at Usikis, three at Ad'erd'ur. Two seem to be concentrated particularly in one village, for example, Tasselli or Ad'erd'ur. Among the ikhs-s themselves, two are represented in several villages. One, the Iseqqalen, is represented everywhere. It is evidently the dominant group.

A harmony, obeying simple laws of balanced representation, is thus recognized in the composition that prevails between the Idma and their country. But an even more refined harmony prevails in the distribution of the grounds. How, in the case of Agersili, the division of the ground into quarters is combined with that of the group into ikhs-s: this is what will stand out from the table on the following page. /See p. 269./

Comments on the Table

613 423 242 312 [126] This table with its figures was drawn up by myself, following numerous cross-checkings on the spot, one of which was made in August, 1950, in the presence of J. Dresch. It is confirmed in large part by another table, this one figurative, drawn up by a scholar from Ad'erd'ur. The native figure is based, no longer on the division by quarters, but on the service by ditches. As the quarter here has a technical definition, that is, of being served by one main sluice, the result comes out the same. Nevertheless a fluctuation in the number of parcels: 3,546 according to the first method, 3,670 according to the second one. A coefficient of incertitude of some 4% is negligible. Thus let us study the principal traits that flow from this ensemble of indices, calculable, one sees, with sufficient exactitude.

[Agersili]

/191 cont./

The Distribution of Landed Property

423 The indications recorded here about property come especially from the awareness that the group has of its land bases, that is, from a beginning of interpretation that has taken into account, in certain cases, the owner rather than the occupant. In other cases, on the contrary, it is the possessory situation, based on a rrahn or 423 from an old usurpation, which has influenced the notation. Notably being the matter in the case of the family of the present 613 amghar, the Iseqqalen. Such as it is, however, and despite all the avatars resulting from alienations and female inheritances, /192/ /left side of table appears here/ /193/ /right side of table appears here/ /194/ /chart appears here/ /195/ /chart appears here/ /196/ this document establishes, with a coefficient of cross-checking of about 75%, that each ikhs is represented in each quarter. This cross-checking, bearing on more than 25 quarters, on six ikhs-s and 3,500 parcels, has weight. But inequalities appear, as much in terms of the respective patrimony of the ikhs-s as in the proliferation of these into minor ikhs-s, then into "families." That is, for the Iseqqalen: 7 families, a. Ilarzg 11, a. H'sayn 2, a. Mh'nd u Abdallah 5, a. Ulila 3, a. Uh'qqi only 1.

The law of sampling verified above would be such much less exactly (at 52%, however) if we took into account, not the ikhs-s, but their subdivisions. It no longer applies to the family echelon. Nothing surprising in that. It is a rule of public law, we might say, and not of distributive justice. It stops at a certain echelon, which is that of the ikhs. But the proliferation of certain ikhs-s into certain sectors, where the others are reduced to a representation by principle, doubtlessly reveals complex symmetries. Perhaps there has been division of villages among groups. All are represented in each one, but in variable proportions, and that might produce agreements recognizing local primacy for such a one among them. Perhaps, on the contrary, after an egalitarian distribution, there have been alterings which took account of the importance of action taken within the limits of such-and-such a village by such-and-such an ikhs.

[Agersili]

/Left side of chart, from p. 192 of the original source./

Analysis of the Parceling of Agersili

Number of parcels belonging to each of the ikhs-s in each of the quarters below

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Names of the ikhs-s	1. Tslat-en.	2. Tasluft.	3. Tamsayt-en.	4. Is'mayan.	5. Ddu y-Iri'.	6. Fisherin.	7. Tslat n-tfawt.	8. Talburt.	9. Amaluyitch.	10. Amalu ddu wgadir.	11. Ddu Turirt.	12. Targa wammas.
Iseqqalen	88	41	152	132	110	66	44	11	73	61	46	16
a. Ilarig	77		27	33	98	106	36	27	13	37	16	69
a. H'sayn		3		29	24	33			6	5	10	18
a. M'hand u Abdellah	12	2	20	13	75	55	43	21	3	19	5	18
a Ulila.....			24	10	41	7			10	19		13
a. Wah'qqi			15	8	12					14	16	
Totals	177	46	238	225	360	267	123	59	105	155	93	134
Crop Rotation												
The initials o (barley), n (turnip), m (maize), indicate the crop cultivated in each of these quarters during the campaigns:												
1948-49.....	m	m	m	?	o	o	m	m	m	m	o	m
1949-50.....	o	o	o+m	m	m	m	o+n	o	o	o+n	m	o
1950-51.....	m	m	m	o+m	o	o	m	m	m	m	o	m
1951-52.....	o	o	o+n	o+m	m	o+n	o+n	o+n	o+n	o+n	o+n	o+n
1952-53.....	m	m	m	m+o	o	m+o	o	m	m	m	m	m

1: Berque--270 Z-5 (ca. 1950) 1955 MW11 Shluh MW11

[Agersili]

/Right side of chart, from p. 193 of the original source./

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13. Ilmi'ugtan.	14. Firuzalen.	15. Uggug i-yni y-it'ma.	16. F-Aghuti.	17. Amalu y-Imi n-tasut.	18. Taleggut-an.	19. Dûgurd'at.	20. Awrz i-yni y-it'ma.	21. Amalu y-Imi y-it'ma.	22: Talat Unghar.	23. Wanammer-an.	24. Targa y-Irz.	25. Awrir-an.	26. Talat n-Tfrawt.	27. Ait Yus.	
6	6	5		11	27	13	10	7		56	33	50	5	12	1,095
56	57	18	48	20	11	52	9	23	35	118	9	111	80	63	1,270
			15			3		7	26	10	30	30			213
43	36	21	11	13	3	23	7	2	11	15	3	91	20	13	637
31	1				13	12		9	2	9		29	13	13	256
															65
136	99	44	74	44	54	103	26	48	74	208	75	311	118	101	3,546
?	o	o	?	m	m	o	o	o	m	o	o	o	m	o	
o+n	o+n	m	m	o+n	o+n	m	m	n	o	m	m	o	o	m	
m	o	o	o	m	m	o	o	o	m	o+m	o	m	m		
o+n	m	m	o+n	o+n	m+n	m+n	m	o+n	o+n	m	o+n	o	o		
m	o	o	m	m	o	o	o	m	m	o	m	o	m		

[Agersili]

/196 cont./

423 613 In either case, the analysis of landed property thus leads to the question of the relation of the families and of the minor ikhs-s, between them, on the one hand, with the genealogical memory of the taqbilt, on the other, and finally with the landed and agricultural structure. A complex and obscure relation, but, very certainly, a relation.

The Quarters

311 423 Relatively precise measurements give, for the irrigated part of Agersili, 42 ha. Thus, each of the 27 quarters covers on the average 1.55 ha. A considerable size in the high-mountain economy; it is triple of what we observed among the closely [103] neighboring a. Mh'nd. On the other hand, the toponyms are very clear. One realizes that from the list above, which does not leave room for any etymological speculation, but simply notes the meaning immediately perceived and translated by the user. This list includes, besides the 27 quarters, 48 other names, which are the subdivisions of them. There are chances that the enumeration is not exhaustive. But there, too, the impression of a density with meshes larger than for the a. Mh'nd, expressing more freedom of space, asserts itself. These subdivisions into quarters do not enter into consideration, it seems, for the play of the soles, characteristic of Agersili. Their true nature is thus more complex, and doubtlessly destined to escape us. They are perhaps the trace of an earlier system, more refined and where the sampling of the lots went still further. Perhaps, on the contrary, they offered historical arrangements only a raw and pre-existent material.

/197/

Agriculture

241 The average area of the parcel is 120 m^2 on irrigated land: on that, one can arrive at a fairly exact approximation. This figure has a symptomatic value.

/197 cont./

C) Rural order and fiscal attraction: Z'init'

798 794 This is the holy place of the Seksawa, their asylum, lh'orum. But it is to be noted that its inhabitants, ministers of the cult of Lalla Aziza, do not descend from her. They are neither chechref, "shorfa," nor ig^{w}rramen, "marabouts," but only lfoqra, "beadles," whom no prestige distinguishes from surrounding populations. With their profane origin, they are to be respected less than the descendants of Sidi Mh'nd of Ammern, or of Sidi Lh'sen of Asttif, although their saint is the most venerated one. Doubtlessly that is a trait of equilibrium or of instinctive reserve of the group with regard to the political dangers that an overly powerful lineage of "marabouts" would have caused to pursue it.

241 31 [133] /198/ When one considers the zaouia from the escarpment of 1,000 to 1,200 meters which commands it, one notices, downward and downstream from the village, a cultivated terrain called Tamazirt, of some ten hectares, which is reminiscent of the form of the Ile de la Cité. It is divided into sections by channels and paths, then subdivided into more or less large quadrilaterals, all differing from one another by the strength and color of the vegetation, that is, according to the cultivator's wealth in fertilizer.

• 423 Several quarters: Imi-n-tankt, Ddu-wgadir, Takriwin, Imi-n-talat ulili, Ddu tgumma, Tibh'irin, Aghella, Imi n-Tzennu, Iwanghasen, Dar ukhyam, Lefçça, Igd'ayen, Talmechmacht, Amkuku, Ddu-rrma, Akhferga, Tizergi, Tamsult, Tamsult n-a Uâziz, Talburt n-teg^{w}rramt, Imi-l-lqus, Ddu-wmedduz i-yghd, Fefgun, Amlal n-talluzt, Tawnaght. These 26 quarters, each having only an average area of 40 ares, are dispersed in a mass of individual parcels, of which one counts about 500. Whence an average unitary area of some 200 m^2. That is not as microscopic as one might have expected. The parcel is relatively extensive in comparison with the quarter, itself abundant and [794] exiguous. But that is perhaps a consequence of the rather

/198 cont./
423 794 [452] peculiar character of the returns effected by the owners on the occasion of feasts, offerings, visits. The money is shuffled here, and the investment relatively large. The budget of the group is credit. Whence purchases far away in the plain, which correlatively led to the abandonment of the high terraces and a certain decadence of the montagnard cultivations. But that is a matter of a late evolution. Let us not stop there.

423 613 592 At present, three ikhs-s, a. H'ammo, a. Lh'sen, a. Âli, are distributed in these quarters according to a sampling all the more complicated because they include nearly 40 foyers having rights, that is:

a. H'ammo. . . .	22 having rights	357 parcels
a. Lh'sen.	10 --	105 --
a. Âli	7 --	65 --

Inequality among the ikhs-s: the a. Lh'sen and the a. Âli each have no more than a few foyers: curse of the saint. Besides, the a. Âli have alienated many of their portions: economic expression of their spiritual discredit. The inequality between owners can go from the simple to twentyfold. Seven owners by themselves alone own nearly half of the total number of parcels. But the distribution of the ikhs-s, and even of many families of each ikhs, over the ensemble of the quarters is nonetheless the rule. Thus, on the 29 parcels that make up the quarter of Imi n-Zennu, one finds:

a. Âli	2 having rights	2 parcels
a. Lh'sen.	8 --	12 --
a. H'ammo. . . .	10 --	15 --
	20 having rights	29 parcels

312 423 178 613 In what concerns the irrigation, one witnesses here the phenomenon of rupture of the gentilitial order that has already been observed at Ad'erd'ur. For /199/ several years, the irrigation has been done s-içd'ar or s-tghuma, "by sluices." That is to say, by ensembles of continuous parcels. By pieces of land, and not by

/199 cont./

312 origins. The phenomenon is related to a recent evolution. Rea-
423 son invoked: the exorbitant disproportion between the patrimo-
178 nies of the three ikhs-s made excessively disadvantageous for the
613 a. H'ammo, possessors by themselves alone of more than half, a distribution where they would have only one share of water out of three. These readjustments seem bound to intervene as soon as, for some reason, the old balance weakens. Opposed to the gentilitial order, they perpetuate in short an archaic operation of accumulation of capital. The inequality in the possession of land is reinforced by a new inequality in the use of water. This sort of management, responding to specious symmetries at the same time as to a better agronomy, always rallies the concert of the notables. Mutatis mutandis, it corresponds to the progress of the enlightenment and liberalism that broke up the old communitarian traditions in our own rural history at a certain epoch. The abandonment of the former system for the new expresses here a sort of liberal revolution.

423 At any rate the analysis of the ground of Z'init' can leave
178 no doubt as to the order that survives through all landed-property
[613] mutations. It perpetuates an exact representation of each of the participants of the group, ikhs-s and most often even families, in each, without exception, of the quarters that make up the
[794] ground. That is the general rule. In the individual case, it has been disturbed by evolutions -- expansions or declines -- which one can likewise connect with the myth of the saint, but which doubtlessly also reflect more prosaically the constant nourishment of the minor group of the lfoqra by the tithes and offerings. Thus are brought about by way of archaic, but curiously concordant routes, phenomena of concentration, whose working, however, in the middle of the twentieth century, has not yet prevailed over the old landowner law.

[613] Finally, in the economic and even demographic inequality among ikhs-s, inequality more pronounced than round about, it is not exaggerated to recognize the effect of a more advanced monetarism. A greater mass of available lands has produced phenomena of consumption, circulation, and reinvestment, the

[Ait Musa Ufella]

/199 cont./

423 178 consequence of which has been to accentuate the differences in level among those having rights. This differentiation, working in a milieu with a precarious economy, has reacted on the vitality of the subject and on the rural countryside.

D) The basin of Tabratjut

634 133 This is the domain of the a. Musa of upper Ufella, just downstream from the parvis of Lalla Aziza. This location, too accessible from the plain, too vulnerable to the mountain, which besieges rather than defends it, has re-echoed on the history of land.

175 634 648 Here there was a Babylonian captivity. The captives were the "caid" Lh'sen Chtittihi and his followers. Babylon was the place of asylum of Z'init'. The exile lasted about twenty years. It was only at the time of the pacification /200/ of 1927 that, at the demand of the French authorities, the a. Lh'sen withdrew from the conquered country, which was returned to the legitimacy. But it was to fall into a landed-property litigation concerning registering, fortunately settled in favor of the indigene by our Cour d'Appel /Court of Appeals/. In sum, for a generation, the a. Musa from above saw their Tabratjut ground delivered up without cessation to the usurpations of ancient type and of modern type; eviction by stamped paper threatened to succeed conquest by the sword. And they continued only by the understanding of the judge to escape ruin definitively.

312 The basin forms a series of tiered esplanades, according to an arrangement of the river bed which is always found, although in a fashion unequally clear and continuous, from the bottom to the top of the Seksawa. On the Tabratjut side, the two lower levels are marked by a vegetation with two contrasting shades, expressing two planes of irrigation. Downwards, it is the "great channel," targa imqqurn, coming from the river, and constant, but insufficient. Higher, at the base of the towering reliefs, it [628] is the séguia from Aduz (Haut Dwiran), but the use of which depends on the good will of these neighbors. Thus a whole part of

[Ait Musa Ufella]

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/200 cont./ Thus a whole part of the agriculture of the a. Musa depends on relations of neighborliness and propitiatory sacrifices which are made each time, in case of need, to the marabouts of Aduz. This irregularity, with phases of unconditional abundance when the ditch runs high, and of restriction or even scarcity, results in the fact that the administration of the water does not correspond to a division among ikhs-s. The water is distributed either at the discretion of each one or, in case of need, by small groups of contiguous parcels, s-irubba. No "turn" properly speaking.

Distribution of the quarters among ikhs-s
in the terrain of the ait Musa Ufella (Fig. 9)

1) List of the names of ikhs:

a) Ait Chtittihi.
b) Ait Bu-setta.
c) Ait J'j'amid.
d) Ait Watchaw.
e) Ait H'mad.
f) Ait Jjaw.
g) Imzilen.
h) Ait Si Addi.
i) Ait Wabgur.
j) Ait Umazwur.
k) Ait Wakrim.
l) Ait Mzird'ad'.
m) Ait Lkessas.
n) Ait Imij.
o) Ait Lmekhtar.
p) Ait H'sayn.
q) Ait H'med u Jibbu.
r) Ait u Châîb.

2) List of the names of quarters:

1. Tameselnt.
2. Aminayn.
3. Ddu-Wanghemmi.
4. Tkunt.
5. Targa meqqurn.
6. Agergiwn.
7. Igidar.
8. Imi n-talat.
9. Imlalu-an.
10. Tariat't' n-Dlaâli.
11. Imiri y-igwrramen.
12. Ddu-wjjin.
13. Imi n-urtan-an.
14. Tikid'a n-ait Brahim.
15. Talat n-Teddart.
16. Lmegzart.
17. Imejjad'-an.
18. Aryad'n-an.
19. Ult-teskri.
20. Azarn-an.
21. Timejderra.
22. Igherman-an.
23. Dar u- Weswik.
24. Lemkhazin.
25. Imi n-tebratjut.
26. Iussran.
27. Ddu-wgwadir.
28. Ibh'ir.
29. Inebdar.
30. Ameslen.
31. Timzughin.
32. Tukhribin.

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/201/ The thing is remarkable, for, in addition, the a. Musa have preserved a gentilitial organization all the more authentic and using archaisms since they include, as will be seen, descendants of H'addo, legendary king of the Seksawa: the a. H'qqi, to whom the chiefs' family belongs. The

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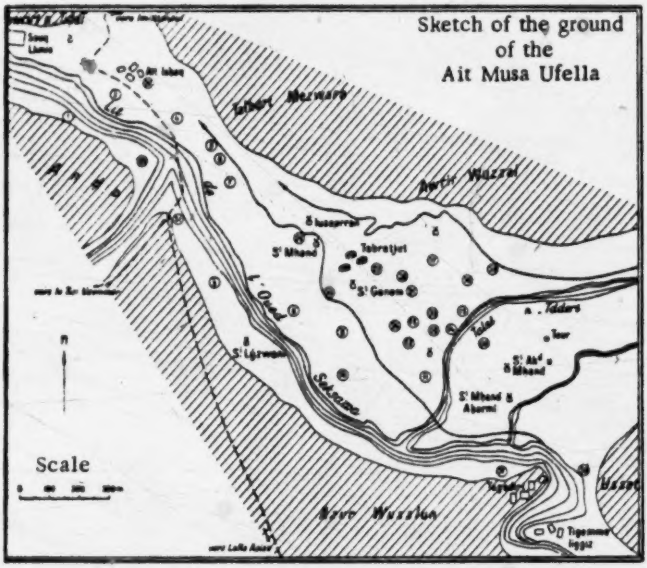

Fig. 9. -- The basin of Tabratjut (ait Musa Ufella).

The numbers refer to the names of quarters shown in the tables in the text. /vers, "toward"; Lit de l'Oued Seksawa, "Bed of the Seksawa Wadi."/

[Ait Musa Ufella]

/201 cont./

634 613 423 property is not always distributed solely among these great ikhs-s, 4 in number, a. H'qqi, a. H'amed, a. Jjaw, a. Mzird'ad', but among several minor ikhs-s, 14 in number. An order of distribution is evident here, and all the more since it asserts itself, being a matter of lineages not as large as the great ikhs-s, with a minutia pushed further than at Agersili, for example. The table below has grouped the number of parcels possessed by each family in each of the 33 quarters. /202/ /Table appears here./

423 613 [28] /203/ 1) Cross-checking the parcellary rule gives only 51% confirmation, if we consider the ensemble of the 14 families and 33 quarters. But a simple look at the table shows that the anomaly is concentrated on the last three quarters and the last four families. If one leaves them aside, the rule is confirmed for more than 70%. That despite the local presence of a family of chiefs whose personal expansion goes back for three generations. And despite the vulnerability of the a. Musa to the causes of disaggregation of the montagnard system, and the principal ones of which originate from the plain and from the power of the plain. To what is this anomaly due? To the fact that the four participants given at the end of the list are, for two of them, a. Sh'aq, residual population, and, for the others, allogeneous. As for the three aberrant quarters, they are the ones served by a third séguia coming from the torrent of the a. Mh'nd: adjunction outside the system. Thus the structure is logical. And one will be apprised of its perfection even better if one accedes to the present explanation according to which it was the caid Chtittihi, father of the present amghar, who would have (thus about 1900) broken up the larger indivision, dispersing over the whole a. Musa section of valley the vocation of the different ikhs-s "from below and above," and set apart as their own for "those from above" only ait Ufella, the present sector. A vivification of the communitarian rule, an application pushed to an echelon more precise than that of the great ikhs-s have perhaps resulted from it. The re-establishment of the a. Musa on their ground brought about a rejuvenation of their structural law.

1: Berque--284 Z-5 (ca. 1950) 1955 MW11 Shluh MW11
[Ait Musa Ufella]

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/Table from p. 202 of the original source/

Indication of the ikhs-s	Indication of the number of parcels that each ikhs possesses in each quarter (the letters and the numbering refer to the lists above)																														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	
a	16	15	13	47	64	4	53	45	40	17	25	38	15	7	5	31	4	8	11	15	9	4	39	85	19	47	14	49	37		2	5	783
b				1	3		1	7		1	3	1			1		1	1	1				2			1	1	8	1				32
c	1	2	3	8	8		12	10	4		4	4	2		4	6	4	2			3		2		1	10	4	16	8	2			121
d	1	2	3	7	8		2	9				4	1		4	6	4	2			4		2		1	8	1	20	6				95
e	7	16	8	9	10		3	17	1	17	3	6	10	5	2	4	7	15	3	1	2	3	3		3	16	9	13	15				208
f	2			3		3	4	5		3	2	4	2	1	2		2	2	2					7	1	5	3	1	7				61
g					1		2	1	1			1												3	1				2				14
h	2	1	2	1		1	2	2			1	1		2	3	2			1	3	1	3	2		1	4	1						36
i		4	2	6	4	3	3	6	2				4	1	1	1	1	3		2		6		4	2	18					5		78
j	4	11	5	23	25	1	10	11	11			9	17		1	12	3	5	2	9		16	13	7	11	50	1		1				258
k	1	3	9	7	6	4	8	10				3		2	2	3		3	4	9	3	4	5	6	4	22							118
l	1	2	2	1	4		1	3	2	3	1	3			3	3	2	1		2		1		3	2	4							44
m		1	2		2											3	1				3			2		12					1		27
n	3	1		1	7	1	1	2	2	2					1	3	3	3	1	3		2	1		1	9				10			47
o																																	10
p	18	30																															48
q	6	5																															11
r	8	16																															24
Totals by quarters.	70	109	49	114	142	17	92	128	63	43	39	74	51	18	29	74	32	45	25	44	26	39	69	117	47	206	34	107	77	12	2	11	
General total																																	2,015

[Ait Musa Ufella]

/203 cont./

423 311 2) The whole of the ground making up about 40 hectares, each quarter, on the average, is a little more than one hectare. But there are great inequalities. The largest ones are split up [103] into several toponyms. One, Ibh'ir, includes up to 6 of them. Four of them include five each. The subjoined table gives the details.

3) The area of the average irrigated parcel is some two [243] a., as at Z'init'. Maize constantly follows barley in the lower band, and only depending upon the available lands on the upper [592] level stretch. Let us note that each foyer possesses about 10 parcels on the average. But there are great inequalities: lords' country, worn-out country, changing country.

103 4) Of 110 toponyms, there are not 20 that remain unintelligible: the majority still refer evidently to proper names. All the others are understood and immediately translated into Arabic by the local informant, if he is bilingual. This clearness is a constant of the genre. Still it is necessary to note that it is quite particularly keen here. If some names of things have assumed an antiquated or exotic color, it is scarcely. In the sense of "tamarisk," for example, one finds side by side tammachin, which is the local word, and ammayn, which is the word used in the Sous, unused here in this sense. Certain proper names recall historic or legendary memories: Ujjiin would have been a settler of the Demsira; Tawillult, a Portuguese woman. To these legendary settlers is also attributed the name of Bukris in the same quarter. Most of the other names naturally refer to /204/ /left side of table appears here/ /205/ /right side of table appears here/ /206/ /continuation of table appears here/ /207/ topographical details and agriculture. The table opposite /pp. 286-288/ indicates under each the explanation that is spontaneously given for it by the local peasant.

178 Thus, then, despite the weakness of this sector, exposed to the attacks of mountain and plain, accessible to the influences of the latter, and in some ways already denatured in its customs, the agrarian order that one ascertains here is that of the higher cantons. Now, not only has this territory not offered for at least

[Ibuban]

/207 cont./

133 dangerously close. To the N. and N.-E. it is still covered by a
[137] forest of holm oaks, junipers, and lentisks, where the villages have had to clear a place for themselves parsimoniously. To the S. the lands of Iwulla almost reach as far as the village of Tugg Lkheyr, hanging over it by the Awrir i-ysemgan, "the hill of the Negroes," with colossal populations of opuntia. To the E. the country is cut not only by the valley of the asif n.-a. Lh'sen, but by the high brows of the Amuddur (2,075 meters), through the Wanz'id' possessions which advance to the north like a duck's bill to rejoin the /208/ domain of the a. Lh'sen "of below"
233 (Awines and Buteghradin). The pasturage is so restricted, es-
423 pecially on the side of the Ameznir, that these schistose slopes
613 are delimited among ikhs-s users. This notably at Tugg Lkheyr and Timskert, where this division of the sterile wasteland appears to have been pushed to its last degree and to have developed a whole red tape of documents of ownership.

166 Yet this mutilated sector represents a reordering, due to the intervention of the "caid" Lmokhtar, for whom one will note the topographical strategy, adroit at reserving for his what we call the lines of communication. Formerly, the a. Lh'sen of
166 Awines had occupied the Ibuban. The present inhabitants, of
432 heteroclite and successive origins, settled by way of purchase. But the avarice of these driven-back populations enabled them to overflow it anew on the, not political, but juridical plane. They bought lands from their neighbors from Ammern and a. Musa, in the Ilikri.

312 Nothing more precarious seemingly than this country without
[242] water. Barely two or three miserable sources, all just suitable to give drink to the villages and to support, at the price of a long-term rotation (12 days for three ikhs-s at Timskert, for example), a few poor patches of gourds and onions. The only resource is that of the streaming water. It nevertheless appears considerable
241 in case of heavy rain. The reserves of the soil, long stored, then liquefy. One has barley for four or five years. Or one waits for the storm, rrâda, which in general at the end of August marks the time of the musêm of Tamarut, in Demsira, to "carry off" a

[Ibuban]

/209 cont./

243 a. Lh'sen, 20 measures of seed from Ibuban give as much as its double from any other origin. And a quarter ẓbra of this cereal grown here suffices, it seems, to satisfy, and beyond, the most voracious of mules. The explanation, which we would willingly [823] see in the quality of the soil, which a maladroit irrigation tech- [778] nique does not wash away, as it does everywhere else, the people see in a special baraka /magico-religious force; see glossary, p. 638/, with which the Ibuban would be favored. First, as compensation, for their country is unfruitful. Then because they [794] are the most religious of men: thus, at Iggayzen, each foyer pays to the saints merely as chcherd', and not including the feasts and voluntary gifts, 4 1/4 measures of barley, that is 2/3 [173] qal. Finally, the Ibuban contain very old populations, and antiquity on the soil is linked, according to these montagnards, to a fine agricultural hand. These are "old people."

• 423 613 The bounds are divided into grounds where each of the principal ikhs is represented. Thus, the Amassin people, of Dukkâla origin, have their lands in each of the four villages. But, through a privilege connected with their quality as conquerors, none of the other ikhs has any among them. The a. Mulid, originally from the a. Irz'z'i, are, like them, with this exception, represented everywhere. The aberrant populations, like the Inagheyn of Talburt, or the a. ba Melluk, descendants of blacks annihilated by the Dukkâla, have fields only around their habitat. Fugitive a. Irz'z'i and immigrant Dukkâla, masters of the country, have thus divided it among themselves. These conquered ones are here combined with other elements as beneficiaries of a new hierarchy. But this order is incomplete. The documentary interest of the sector is that local tradition makes one understand why. Among the ikhs-s descended from the oldest populations and the conquering branches, Dukkâla or a. Irz'z'i, there has not been equitable distribution. Between these two branches themselves, all the quarters have not been covered by the division. The disorder of history, reflected by still-living inequalities, has thus had direct effects on the landowner equilibrium.

[Imt'ddan]
[Bulᶜwân]

613 /211/ Undoubtedly one observes a certain differentiation be-
621 tween Tinwalin and Tamezgurt, on one hand, the two other villages of the tetrapolis, Tagunit and Tamt'ddit, on the other. But, with this exception, each subgroup is well represented in the different grounds of the canton.

● 423 This characteristic appeared clearly on the occasion of pro-
691 ceedings which in 1951 set the Imt'ddan against one another concerning a vast albur utilized half-pasturage, half-tillage, on the E. counterfort of the Tamjlucht. A judiciary transfer was made at the summit of the Azuran. The titles were contradictory; leases, sales had come into play. And, even more, irregularities of an ownership which always accrued to the strongest, but without annulling the right of the weakest. In fact, within this ground, three families, profiting from their preponderance, disputed a quarter favorable for rye called Uz'z'igat (1,900 meters). The summit is not far from it. From there, the view plunges, to the E., over the Kattos, the Wafagga; to the W. and to the S., over a landscape with magnificent folds, closed by the barrier of the Afuzar and, in the background, by the Atlasic crest. This high plateau, all around the crop terrain, is studded with idughas,
[692] "summer shelters." The jemâa deliberates. An agreement is
[634] finally concluded. The Uz'z'igat is to be allotted among the 19
[613] ikhs-s resulting from the fractioning of the first Imt'ddan families. A brief dispute had tended to exclude the branches with the most
[634] eccentric habitat, such as those of Tinwalin. But, instructively, the taqbilt solidarity and the landed-property vocation that it implies will outweigh the dispersion of habitat and the decay of the bond. It could not be otherwise. Analogous solidarity prevails elsewhere, as has been seen, in a matter as favorable to privative appropriation as the harvest of almonds.

G) Bulᶜwân, estuary of the montagnard system

133 The Tagoyyamt ford (740 meters), where the traditional
361 route from the Dir crosses the Oued Seksawa, here called Lwâd n-Qihra, or Asifl-lqîhra, leaves a village on the right, Bulᶜwân, the colony of which, Taqennurt, situated not far away, on the

[Bul^{c}wân]

/211 cont./

133 361 left and downstream, disappears under the olive trees. It is the estuary of the mountain life into the plains life. Whence a mixed spirit, the analysis of which can reveal intermediate or 133 decadent forms with a certain value as indicators. The bounds 311 include 4 grounds. That is, from upstream to downstream, sur- 423 rounding the village of Bul^{c}wân, a small alluvial plateau, dominated by the Talh'archt channel, "of the aspre" /Translator: a rocky hill in the Roussillon, where vineyards and fruit trees prosper/ (to return to the Pyrenean word). Then, surrounding Taqennurt, another irrigated ground, which extends toward the Ud. Besseba^{c}, a h'emri. Dominating it on the W. a mamilliform landed-estate is connected to the mass of lands which separates, from the foot of the Urkus, the courses of the Seksawa and Imintanout wadis before their confluence: it is the Inzzûyma.

Let us pass by some bands of crops, in the very bed of the river, upstream from the village, or on its right, facing Taqennurt, Dwiran side. They are secondary sectors: the essential of this agricultural life clings to the 4 grounds enumerated above.

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133 172 To one who looks toward the high valley from the Seksawa ford, the landscape appears grandiose. It is limited to the S., and indeed high above the head of the observer, by the triangular mass of the Tabgurt, dominating at more than 3,000 meters the calcareous peaks which frame the vestibule of the valley. It is at the foot of one of them, the Argyun, that the village of Ilutjan encamps its ruined terraces. Not far behind would soon appear, if one climbs the slope that leads to Bul^{c}wân, some remains of ramparts on a spur bolting the valley at the place called Lkhneg, "the gorge." Today their emplacement is called Agadir n-Lmkhzen. It is perhaps the former Mérinide fortress of al-Qâhira. The whole section of the river downstream from this citadel to the end of the course in Seksawa bears the name, as has been seen, of asif n-Qihra. To tell the truth, it would be necessary to dig the whole site of Bul^{c}wân. A superficial examination reveals,

[Bul^{c}wân]
[Taqennurt]

/214 cont./

b) Taqennurt

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Fuq Bul^{c}wân is a ground that includes 141 very unequal parcels, 100 of them exiguous and 4 spacious. If one adds this number to that of Taqennurt, one obtains a figure of some /215/ 220 parcels for a total area of approximately 55 ha. That is, an average area of about 20 ares per parcel. A considerable figure in relation to the horticulture upstream: almost tenfold. It implies a cereal economy, with animal tillage with two beasts. In fact, Bul^{c}wân and Taqqenurt together count nearly 200 bovines. Here the hoe is used only to finish the work around the foot of the trees.

[492]
[233]
[412]

Other verifications result from the parceling.

Names of ikhs-s	Number having rights	Number of parcels at Bul^{c}wân	Number of parcels at Taqennurt	Total of the parcels
a. Lkhil	2	21	13	34
a. Lmchari	6	13	5	18
a. Sidi Ghânem	10	32	2	34
a. Belh'ajj	1	3		3
a. H'mmo u Jâa	2	2	4	6
a. H'mmo u Qeddur	2	3	1	4
a. Si Mh'nd	7	17	7	24
Ichkajen	4	12	1	13
a. Wah'man	1	2	1	3
a. Benjâa	5	8	1	9
a. Naçr	1	1		1
a. Ussttif	1	1		1
a. Bihi u Sâid	2	5		5
a. Wammern	2	10	5	15
a. Sâid	3	7	1	8
a. Bella u H'fid'	1	1		1
a. Wanz'id'	1	1		1
a. Bihi u H'fid'	3	1	7	8
a. Waferyad'	2		8	8
a. Alla u Bujmâ	1		2	2
a. Jâa Uk"ays	2		2	2
a. Lqorchi	1		1	1
a. Lranayt	6	3	4	7
a. Wârab	3		6	6
Ih'ançalen	2		3	3
a. Bihi u Ali	2		6	6
Total: 26 ikhs-s	70	143	80	223

[Taqennurt]

/215 cont./

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This table calls for various comments.

1) Inequality of the landed situations. The a. Lkhil, family of the present chiefs, possess, by themselves alone, 1/7 of the parcels. Other ikhs-s also attain a respectable total. Thus, the a. Lmchari (18), the a. sidi Ghfnem, descendants of the local saint (34), the a. sidi Mh'nd (24). But other patrimonies are reduced to one parcel. One sees appearing here the "great family" ousting the weak ones.

2) This aspect is accentuated if one considers only Taqennurt, where 7 ikhs-s are not even represented; the expansion in the "colony" is the business of the powerful ones.

3) A certain symmetry is nonetheless observable, since /216/ 3/4 of the ikhs-s are represented, even though unequally, in the two grounds.

Here we are on the way to other observations. Within Fuq Bul^{c}wān the rule is the plurality of the parcels: veritable representation. Although no longer corresponding to the toponymic division of the ground, it expresses a characteristic entanglement: a sort of secondhand or decadent form of landed-property sampling observed in the mountain sectors. In this respect one has only to cast one's eyes over the parcellary schema of the ground. The same names reappear at the four cardinal points. The parcels are arranged nearly on two longitudinal strips in the S.-N. direction. At Taqennurt, it is on three strips: one immediately against the Talh'archt, the other bordering the river, the third in between. These parcels, called by the name of the ikhs, are generally divided between two or three individual owners. Their number is rather moderate (70) for the ensemble.

That such symmetries have survived so many causes of disaggregation; even more, that the spontaneous action of the great ones, being accomplished by purchases and sales, without meeting the restraint of institutions of patrimonial immutability, has respected these symmetries, indeed has even tended to reconstitute them, that reveals either a singularly obstinate survival of an old order, or -- which would be even more revealing -- an inveterate tendency of the milieu to recompose itself through all

[Taqennurt.]

/216 cont./

613 vicissitudes and against all outside interventions: in the case in
423 point, six centuries of powers of the plain, in open struggle
241 against the montagnard system.

c) The confines: Lh'emri, Inzzūyma

619 Downstream from Taqennurt, the Seksawa bounds are promptly limited by those of the Dwiran. A terrain quite poorly irri-
131 gated today, Lh'emri, having become more or less the appanage of the local chiefs, terminates them. Higher, it is the hillocks of Inzzūyma, common to the W. with the Nfifa. Here therefore we are in a zone of confines.

195 The middle Seksawa valley was formerly occupied by the
619 Demsira. This was not the case for Bul^{c}wân, the landed traditions of which go back to some Ida u Blal. It is the former who were replaced farther downstream by the Ud Bessebâ^{c}, whose first hamlet bears a significant name, Ad'uwar. The Arabic "douar," in contrast to the "village" of the Chleuh /Shluh/. All of this sector was devastated by struggles between tribes. Also, it was intercessors from the Seksawa valley, Ammern "marabouts" in particular, whom it behooved initially to swarm in from this side in order to bar the route to strangers. At Ad'uwar the Talh'archt and Tasbâit channels meet: this is a knot of waterways toward the plain.

Here one is in the domain of decadent, "shattered" history. A large portion of the Lh'emri today is domainal, and rented, at a rate of principle, to the amghar-s of the a. Abdella. Let us understand that this was a no man's land /the italics are in English in the original source/, theater of competitions of tribes, and of the expansion of the appanages. It is not there that one should look for a rural order.

133 To the E., toward Imintanout, a bulge of terrain sinks in /217/ a triangle between the valleys of the asif-s Seksawa and Imintanout. That would appear quite clearly to one who climbs
423 the slope of the Urkus. It is a matter of the ground of the Inz-
619 zūyma equally claimed by the a. Abdella and the neighboring
[659] Nfifa. The administration has consolidated and almost balanced

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[423] /217 cont./
[657] these rival claims by conferring on this vast landed-estate a collective status which divides it between the two tribes.

According to certain traditions recorded in a. Lh'sen, this collective should return entirely to the Seksawa, and its assignment at all to the a. Abdella would arise from one of these errors based on the perspective of contiguity, and such as we have often committed in North Africa, in Algeria for example, in the application procedures of the Sénatus Consulte of 1863.

The question was important, because if we had again found in the Inzzlyma traces of a property-owner's vocation for the ensemble of the Seksawa "fractions," our hypothesis on the former landed projection of the tribe toward the plain would have been singularly reinforced by it. It was a matter, in sum, of a study of archeological indications launched a little blindly. Here
243 are the results of this study. The following table groups the areas,
619 in measures of seeds, ᶜabra-s, of the different population groups
433 cultivating the Inzzlyma. There will result from it conclusions
184 for the moment negative. No regularity of distribution: a coun-
648 try worn, devastated by history. But a plurality of usufructuary groups: perhaps a remote reminder...

a) Part for the a. Imintanut (Nfifa)

	Nfifa of Imintanout	Other Nfifa	Demsira	Seksawa	People of the Sous	Ud Bessbaᶜ	Chichaoua	Mtugga	Mez'ud'a	Dwiran	People of Argana	People of Amizmiz	
Barley.....	4,047	6	112	153	236	235	3	25	12	0	26	17	4,872
Hard wheat	592	1	33	17	27	6	0	4	0	0	5	4	689
Soft wheat	163	0	0	0	3	0	0	0	0	0	4	1	171
Totals..	4,802	7	145	170	266	241	3	29	12	0	35	22	5,732

[Demsira]

/220 cont./

613 312 [443] [691] 1) At Timezgadiwin, an important market between the Tizi Umachcho and Argana, the law is so present that it could serve corollarially in a judiciary investigation in the proceedings setting against the present jemâa the claim of a formerly evicted ikhs, the a. Umahal. This ikhs's turn for water and its share in all the quarters of the ground: Tassukt, Ikid'ulh'yan, Igummeranan, Igg n-zzit n-Belâid, Ddu wknari, Tigumrin, Bukheddo, Talat, had been camouflaged by the four other ikhs-s making up the a. Timezgadiwin, but three quarters of a century of occupation did not succeed in abolishing them. Thus there were always 5 turns for water for 4 ikhs-s, no plausible explanation being alleged for such an anomaly. That in a matter which in such a milieu is always reasoned out very exactly. An error in the administration of the water: the investigation thrust itself in there and unmasked the usurpation.

613 312 423 2) At Tinnmrutin, high-mountain village of the a. Châib, endowed with a relatively large ground, there exist 7 ikhs-s. The irrigated land is divided into 12 quarters perpendicular to the axis of the torrent: Ddu wrtan, Amkid'an, Ddu murgun, Igg mgun, Imi n-takt, Tikssrt, Imin-tsektan, Nggi teghla, Ddu teghla, Ughlin, Ddu wgenza, Imi n-tdkki. As a general rule, each quarter is divided among all the ikhs-s. Nevertheless inequalities of appurtenance, going from the simple to the quadruple, are observed within each quarter, between the shares of the ones having rights. They are still greater in the quarter located immediately below the village. Just as in another one, one of the 7 ikhs-s is not represented. The irrigation is done by turns of one day, falling to each of the ikhs-s. On the dry land, similar representation, although with more ample proportions and in less entanglement. Above the ditches for streaming water, that is again accentuated, and each ikhs has a sector of its own at its disposal.

The example of Tinnmrutin is all the more interesting because it touches our Seksawa, from whom the Iguntar, today attached to the a. Lh'sen, descended and still possess rights there.

613 423 3) In the most tortured region of the Demsira, the most weakened by all the conquerors, official passers-by, claimants

[Demsira]
[Nfifa]

/220 cont./

613 and tools of the power of the plain, the Irohalen, region on a
423 slope, without good irrigation, Permo-Trias reddening, the landed property distributes the ten ikhs-s, including Tamarut marabouts, over the different grounds: for example, "the field of the King," Iger ugellid, a nice cereal piece at the junction of the routes from the Sous and the H'âh'a, Awrir-an and the rounded hill below Ddusyan, reputedly fertile for wheat. A system of rents compensates for the risks of drought or of a bad harvest. In sum, sector with an eventful constitution and history, which is organized to the best of its rather precarious nature, but visibly according to the lines observed in more intact grounds.

613 /221/ 4) A. Mh'and u Musa. Narrow affluent valley of the
312 asif i-ymintanut. Law notably cross-checked for the villages of
[133] Ergtajelt (9 quarters), Aghella (8), Bwiugra (11). The irrigation is always administered by ikhs, but unequally, the ikhs-s having unequal rights according to the quarters. Finally, the law is felt and formulated.

... Nfifa...

619 Tribe completely of the piedmont. Occupies, besides the
[131] outlet of the col on the plain (Imintanout), the lower valley of the Amejnes and a "mountain" which is the North reverse of the Lemgo, as well as a plain on the confines of the Mtugga.

619 1) In this latter domain was observed the working of the dis-
423 tribution of land. It is the taqbilt called Wad l-lbûr. Seven
[634] aᶜz'âm form it, all allogeneous. Not one autochthon. One of them, the a. Âli Umbarek, has its crops grouped upstream, mixed with those of the a. Abdnnur, "people of the mountain." But the 6 others are impeccably represented in each quarter. Besides, they are the ones that are designated, excluding the former, by a collective name: a. i-ymiz'z'er. The conflict be-
[578] tween the rule of topographical distribution and possession, invoked by the a. Âli, who have all the crops massed around the source, gives rise to numerous clashes. In 1950 a transaction made allowances for things and combined the two systems to the

[Nfifa]
[Mtugga]

619 /221 cont./
423 general satisfaction. Another corollary verification. That in the irrigated ground.

2) Outside of this irrigated ground, curiously named Wad l-lbûr, that is, "the river of the dry crops," the taqbilt possesses a mamilliform country, making up part of the yellowish confines between Mtugga and Nfifa: grounds called Lmdayn, Berdami, Id'ergan, Amskennid', etc. The collective vocation is made known, as proof that appropriation has been made there, for each campaign, s-lh'waz, that is to say, by a race to be the first occupant, "by seizure." Marking with the plowshare is equal to appropriation for the year. In 1950 the depositing of a privative demand for registering led to formalizing this character. It was
[634] the integrality of the taqbilt of Wad l-lbûr, including the "people of the mountain," that claimed its rights. The rival claim of the villages located in the very estate to monopolize it was finally rejected. It is an allotment by "foyers," s-takatin, that was decided upon, one zone being assigned on this basis to each village of the mountain or of the plain: an intermediate system, making allowance for all the ikhs-s and for their general vocation, and for their differences of size or of habitat.

Roughly, the country of Wad l-lbûr appears as though it had been initially cut up into three grounds, where each of the ikhs-s had its share. But their evolution has been divergent: privative appropriation for the mountain sector, persistent collective tenure for the plains ground, and classical distribution by quarters in the lower valley of the Amejnes.

/222/ ... Mtugga...

133 Complex structure. Two E.-W. synclinals frame what has been inexactly called the Mtugga plateau. In reality it is a calcareous bulge linked to the Atlasic surrection. But its surface, subjected to intense erosion, has become in many places a stony causse. It is cut by ravines, the junction of which, under the name of Igrunzar, forms the Wâd Lqçob. The latter flows into

[Mtugga]

/222 cont./

133 the sea near Mogador. It is its water that formerly irrigated the Sâadian sugar-cane plantations.

619 1) The importance of the "plateau" is essential. With the exception of the Reh'h'âla, aberrant, all the Mtugga khoms-s surround it and participate in its exploitation for pasturage, [634] gathering, or tillage. That is, in the direction of the hands of a watch, the following taqbilt-s: Idaw Merzug, Idaw Nifi, Kuzemt, Alassen, Idaw Talilt, Intamlin.

This schematic distributon, on the scale of the vast spaces of Mtugga life, nonetheless appears as a not negligible factor of economic and political equilibrium.

613 2) Kuzemt. The lands of dry tillage are owned by each of
● 423 the ikhs-s, by means of agglomerated parcels approximately coinciding with the habitat. It is to be observed, moreover, that, following the H'âh'a mode, each ikhs lives apart. But the olive plantation contains, from the point of view of land, a representation of all the ikhs-s, and even those whose habitat is eccentric, like Iggi w-ugnan.

It is to be noted that most of the plantations are of the same age. The presence of all the ikhs-s in the olive plantation, does it correspond to a division subsequent to a collective task organ- [172] ized by an official occupant? That is what the imposing ruins, called Dar l-Ibacha, and which seem to go back to the makhzanian enterprises mentioned in the Rih'la of the marabout of Tasaft (Justinard tr., p. 18), would make one suppose.

Besides the olive plantation, the quarter of Iggi n-d'her, where a great number of irrigated parcels exist, includes a veritable sampling of all the ikhs-s of Kuzemt.

133 3) To the N.-E. of the Jebel Kharruba, symmetrically with the village of Tadnest in relation to these heights, the ground of the Zahr ou T'amer resembles a series of basins, separated by 173 rocky spurs. According to a tradition recorded by J. Fuchs, this was initially pasturage ground. Then different elements from Intamlin came to colonize it, without, for all that, abandoning their principal habitat.

[Mtugga]

/222 cont./

423 Although all sorts of mutations have affected the parts thus revived, the collective qualification muchû^{c} is still applied to the whole. On the other hand, and very significantly, although [613] the first appropriation passes for having been done "by seizure," most of the ikhs-s of the Intamlin are still represented at Zahr ou T'amer.

Same symmetry in the vast "collectives" constituting confines between Mtugga and Nfifa.

4) At the place called Adder, present site of the Wednesday [443] market, and which seems to have formerly been more amply irrigated by the source /223/ of Sidi bu Brahim, is observed a veritable potpourri of owners belonging to diverse Mtugga subdivisions, some of them very far away. Thus, analysis of the [619] lands reveals there Idaw Merzug, Reh'h'âla, Idaw Talilt, and [634] even some allogeneous Idaw Ziki and Mentaga.

[539] Tradition applies the following saying to Adder: Adder: taryalt umzil: amesmar enna trit, gis t-tufit, "it is the blacksmith's basket, no matter what nail you want, you find it there." Only a more profound analysis could say if that is pure coincidence or an accidental aggregate, resulting from external causes like the existence of a thermal saint, or traces of systematic distribution.

619 The genre of the Mtugga tribe is quite peculiar, as much from the fact of its size as from the simultaneous play whose spectacle it offers between a very resistant customary archaism [121] and the latifundian expansion of the "great families." It would be perilous to pursue these analogies in depth in a purely comparative account, the goal of which is not to study their tribal [671] contexture. May it suffice for us to have noted that, despite such peculiarity, many emergences of the montagnard law can be revealed. Those that have been noted here are far from being the only ones.

[Mez'ud'a]

/223 cont./

... Mez'ud'a...

619 Same reservations, but also same conclusions. Among
184 them, the plain-mountain balance has been preserved up to our day. The tribe presents a homogeneity, perhaps acquired dearly, but which, its more modest proportions helping, rather makes of it the form of unfolding of types that we find, on a more exiguous model, in Haut /Upper/ Seksawa, for example. The factor
[312] of originality here is the use of five large séguias from the asif el-Mâl, and which condition the economic and political life of at least the whole East part of the tribe.

631 1) A general study shows that, roughly, the Mez'ud'a plain is like the exposition and amplification of the political divisions of the mountains. Each of the latter projects its zone of ownership over a special sector. Whence constant coming and going, and today, and more and more, double habitat. This same fact is observable in the Dwiran. It has already struck our researchers.

613 2) What has remained unperceived is what degree of detail
423 this agrarian order has reached. Despite the intense appropriation
178 of the plain since the pacification, there remain cultivation communities where the vocation of each ikhs resists all evolutions. Again in 1950 a gentilitial distribution, in terms of the astonishingly ramified and hierarchized system that caps the ikhs-s here, was victoriously imposed, in spite of the privative vivifications, on the largest part of the Ighargharen ground coming back to the a. Gd'id'.

312 3) The functioning of the irrigation, a perfect clockwork
613 mechanism, is governed, not by topographical proximity, but by group appurtenance. Whence what would appear to us as difficulties and paradoxes. Thus, it is necessary that, down to the individual echelon, for each /224/ rightful claimant whose turn arrives, there are lands available in the sector watered just at this moment by one or the other of the 5 great séguias diagonally crossing the plain, and which leave between them distances of several kilometers on occasion. There again, as in what concerns the Mtugga, it would be a mistake to pursue in detail

/224 cont./

171 /footnote 1 continued/ express an exigency of internal equilibrium. But let us take this isolated rapprochement only for what it would be: merely the bait for more extended controls. (Cf. Archives of the Sénatus Consulte at Aris.)

128 These cross-checkings /225/ thus remain to be done. Only they will be able to infirm or confirm, and consequently to endow with generality or not, the structural law that it is believed has been uncovered here.

121 The "Parcellary Orchestration" (1)

[114] 1. This expression is taken up again, while apologizing for its paradoxical aspect, from the article of 1948, where we set forth our first verifications.

181 Let us return to the Seksawa of the high valleys.

423 Their whole life is marked by a very precise division bearing
613 on three orders of facts. The ground is divided into individual-
[805] ized quarters. Time is scanned by the succession of "turns" or-
[312] ganized for irrigation, and the latter is not only an essential
[592] economic base, but a collective symbol, fixing the most vehe-
ment aspirations of these rural people. The group is divided into ikhs-s, themselves distributed in conjugal families, but preserving a role, or rather assuming attributions. There prevails among these three orders of things an exact correspondence.

182 Easily decipherable in the present state, and despite degradations
423 and mutations, it inspires and maintains the deportment of the
613 montagnard, for whom it is at the same time an inveterate or-
[671] ganization, guarantee of persistence, and ideal of legitimacy.
[421] The local land law in this part of the Atlas has no aim other than

182 /225 cont./
423 to safeguard, against all causes of disturbance, and against indi-
613 vidual life in general, these correlations.
671
421 It is thus explained that, to the astonishment of the agrono-
mist, the order of irrigation is gentilitial. Contrary to what
423 economy of effort and the elementary concern to reduce losses
312 due to infiltration and evaporation would impose, it is not the
613 piece of terrain made up of an ensemble of contiguous parcels
that will profit from the turn for water, but the discontinuous
domain of an ikhs: as dispersed, as distant on occasion as its
fields may be, on that day the irrigation must skip over impor-
tant intervals in order to go from one to the other. This discon-
tinuity itself is the rule, because, in each of the quarters, each
ikhs must have its share. All sorts of conservative mechanisms
thereupon come to limit the possibilities of landed-property
mutations: sales or successions, /226/ violent dispossessions. In
the present state still, wherever the ground is flourishing, the
techniques well preserved, the commune lively, this rotation of
the water and this distribution of the parcels tend toward perfec-
tion. Whence it comes that the classic form of the property is
neither the ample piece lying together nor even the cluster of
neighboring fields, but a-patrimonial sampling. The average
cultivator has a hundred parcels at his disposal, each of which is
sometimes reduced to a few square meters. The formula is not
viable from an economic point of view. But what does it matter
to the montagnard? He has, according to the expression of the
native documents, "his name in every quarter." A distributive
ideal is thus attained. It is also an ideal of variety. The parcels
are defined by their fitting in among those of others having rights.
The smallness of the areas helping, their limitation is not mate-
rial, but personal, not topographical, but anthroponymic. That
emerges clearly from local writings, where they are defined by
the name of the quarter and of the four borderers, without any
other precision of boundaries. The appurtenance to the ikhs and
the insertion in such and such a quarter provide sufficient identi-
fication. A paradoxical trait in a peasant society where boundary
conflicts are traditionally frequent.

/226 cont./

423 312 613 A whole "parcellary orchestration" is thus glimpsed here, each ikhs putting at the same time in all the quarters of the ground its fields, which, the day having come, the exact time-switch of the turns for water animates. Scansion of agricultural time in turns for water, internal equilibrium of the group in agna[illegible] subgroups, classification imposed by the understanding for the ground: these three elements are combined in a coherent system.

[829] What origin to ascribe to such a perfect arrangement? The user himself does not imagine the cause of it. His spontaneous gesture, when one interrogates him on this law, is to point with his finger at the interlacing of the cane in the mat where he is seated: each sprig corresponds to a parcel. What he has an intuition of, in fact, is an ensemble linked by inextricable solidarities. But that is a feeling. Research must be more demanding.

121 [191] The first explanation that would come to mind is that of these divisions of inheritance which, in two milieus paradoxically far apart, end in the open field /the words in italics are in English in the original source/ and the strip fields of the European North, the muchâ[c] of Syria, samplings of the same type. But 619 634 what creates the difficulty, and at the same time the interest of the Haut-Atlasic example, is that the taqbilt is not in any way an enlarged, even fictive, family. The social link, indeed avowed and conscious, does not at all consist here in the ramification of a /227/ family stock. If, within the ikhs, the attachment of the [613] [592] different "foyers," takatin, to one another is genealogical and amenable to the successoral law, it is completely different for the attachment of the ikhs-s between themselves within the group: their connection, which it will be necessary to define more closely, is entirely different. It is necessary to look elsewhere than in divisions of inheritance for the source of an agrarian order.

121 An original collectivism, which might more or less maintain itself in the Atlas? The hypothesis is tempting. To tell the truth, it calls for a judgment on the age and the character of these [423] societies. On the other hand, it runs counter to what we know

/227 cont./

121 about the type of appropriation of land that, in the majority of
[423] the examples known, corresponds to the tree and water techniques: that is, the privative form. Such a singularity should not be set aside a priori, any more than a likewise persistent reminder of primitive communitarian modalities. Nevertheless, bearing in mind the willing climate of this life, the effort, systematic and localizable at a certain moment in the past, which the construction of the grounds often expresses, one also evokes
[613] conscious divisions among subjects of law. The occupation and improvement of the soil conquered or created at all points over the wasteland, the forest, the slope have been able to bring as a corollary their balanced distribution among participants: these subgroups, called ikhs-s, and which would be united among themselves by connections of a type complicated in a manner other than consanguinity. It is also possible that this plural equilibrium expresses a readjustment of the group, its reaction against an external threat or internal decadence.

Order of work or social reform, this type of division is presented to us at a recent epoch. It reflects a spirit at the same time ratiocinating and communitarian, altruistic and responsible, of which this inquiry will observe the constant manifestation. Thus it is that the Idma, having recovered their Tasselli territory
[691] from the a. H'adduyws, redistributed it. At Tabratjut, the old order was re-established, but not without alterations, at the close of a litigation with wild perturbations. Other examples might be cited. They abound in the daily jurisprudence of the jemâa-s.

What we have called "the parcellary orchestration" could thus arise from a stage of origin or more modern arrangements. Ethnological hypothesis or historical hypothesis: let us not choose between the two for the moment.

The Coefficient of Breadth

103 The humanity of the high valleys invests in its tiny domain enormous expenditures of energy: work, organization, and also denominations. Because the concentration of the toponymy there

103 /228/ expresses exactly that of the other works. It is even the easiest indication to grasp. The density of the names designates that of the communal life. In such villages we follow it indeed beyond the cadre, still restricted, of the quarter. There is nothing that says that elsewhere or in other times it could not be followed even further: down to the smallest parcel. This ground is thus like a body where each atom would assume, besides its function, a name. What levity of matter in all that!

• 423 The essential notion of quarter escapes almost any topographical definition. In the irrigated at least, where the quarter is not a piece of landscape identifiable by natural accidents. In order to answer to this definition it needs large epaulement terraces where dry crops and pastures spread out. Certainly, even in the irrigated, it has an area approximately measurable, varying with the grounds. Whoever says area should say limits, readable for the naked eye. Often, in fact, the quarter corresponds to a physiognomy. Now its minuscule individuality results from traits such as the strength of the crops, the hue of the vegetation, the assemblage of the parcels, which one feels instinctively, but which, let us be careful, proceed from this individuality rather than determine it.

423 312 It is possible that the progress of the analysis will succeed in giving an account of the more or less large number of quarters, that is, in the case in point, of sluices echeloned along the ditch, by the echeloned working of the irrigations. Or that roughly the division of the ground yields, as in the case of the parcel-strips of the open field, to a concern to equalize the parts qualitatively. The embanked relief would have made an irregular checkerboard preferable to a geometry of long rectangles. But none of these explanations by topography, technique, or distributive equity succeeds in completely accounting for the notion. What is incontestable is the disproportion that thus asserts itself within the ground between such a profusion of appellations and such a poverty of mass.

121 423 [103] This contrast is certainly general, and characteristic of the milieu. But the density of the names, itself announcer of the social density, is it the same everywhere? Even though this might touch upon a matter that has hardly been explored in North Africa,

/228 cont./

121 and which would call for irrelevant quantitative comparisons,
• 423 one nevertheless suspects, in the limited cadre of the western Haut-Atlas, great inequalities between grounds. Consequently, have we not risked basing our description excessively on the limited case of the irrigated ravine, while other aspects, visually broader, also decisive economically, likewise call for analysis? /229/ And, on the other hand, what inexactitude would there not have been in imagining that the montagnard reality presents itself everywhere with equal rigor!

Phenomena of erosion or of disuse can, even in the irrigated, bring on the collapse of the system. Above all, it is the juridical inextricability, itself resulting from a weakening of the communitarian life: in the complexity of the old gentilitial formula the
[178] young generations were no longer met with again. Weary of war, a jemâa agreement substitutes, for the former devolution of water by ikhs, a watering by contiguous pieces.

But beside this factor of more or less great integrity of the montagnard type, another, doubtlessly of major importance, interveneS: its degree of spread in space.

423 If one turns one's attention from the valley land in order to
184 put it on the high surfaces for rye, for example, one finds that
243 two essential elements are missing for verifying the structural rule
[312] that we have defined: no division of time into turns for water,
[181] and for reason; and fewer minutiae in the toponyms. The life of
[613] the heights is less willing, less refined, looser. The simultaneous
[492] implantation of all the ikhs-s is more theoretical than real. For this agriculture, distant from the village, requires means of transport, the harness or at the very least the beast of burden. It is not within the reach of all. Not all risk it. It is an agriculture of representative ambitious ones, not of egalitarian citizens. Operating in a social milieu less finely innervated, if I may venture to say it, deprived of this permanent exercise of will and equilibrium, and also of this measure of time that irrigation constitutes, it correlatively puts up with a haziness of the law and a haziness of the techniques: irregular fallowings, returns to wasteland, abandonment of an overly poor harvest, submission to the hazards of the snowfall and of the pluviometry.

/229 cont./

423 613 619 184 To what extent is a gentilitial distribution, in itself called upon to subdivide itself among foyers by a drawing of lots, practicable in the case where superficies, human forces, and water module assume a breadth more important than in the narrow canton? It then seems that a sort of dilation is imparted to the elements in the case. New subdivisions are intercalated between the basic subgroups and the individual: thus the three "thirds" of the a. H'adduyws, the binary rhythm of the a. Lh'sen, the localization by villages of the Idma "minor ikhs-s." All the more reason that it would appear among the Mez'ud'a, where a generous plains affluence presents something like a magnifying projection of the tribal structure. Apart from a certain order of grandeur, the notion of ikhs is lost /230/ as a basis of distribution. Then conventional divisions intervene, such as in Mez'ud'a the "centuries," myawat, which become the subjects [671] of law. And the law is ramified by degrees down to the "foyer," takat, but not without putting into play other measures of debit and of agricultural surface. That is all the more marked in Mez'ud'a, because beside such distributions for the water from the channels of the asif el-Mâl, the distribution of source water remains gentilitial. On the one hand, the solution of breadth, on the other, solution of narrowness. This coefficient of contraction or of dilation, of grain more or less loose or held together is essential for the interpretation of the facts. One realizes that by 619 the example of the Mez'ud'a. Again in this tribe it is a matter 634 of the harmonious enlargement of a taqbilt of traditional type, an 184 enlargement whose steps are to be read clearly in the present structures. More vast, more complex, and above all more instructive would be the Mtugga example, which covers an immense country and some thirty thousand souls. The ensemble is composed of several taqbilt-s substantial enough themselves to interpose one or two other levels of classification between them and the ikhs-s that compose them.

423 613 184 Thus the elements of the montagnard order: gentilitial division of the soil, vitality of the equilibrium among ikhs-s, parcellary orchestration, are subject to different fates as one

423 613 184 /230 cont./
approaches the plain or as the system is worn away. But perhaps even more in terms of the geographical breadth of the phenomena studied. Thus analysis leads here to the idea of variations in the space, to which we shall have to return.

171 The Coefficient of Value (1)

1. H. Lhote, Comment campent les Touareg /How the Tuareg camp/, 1947, p. 21, notes the clear division of the course among the Saharan Touareg, contrasting with its promiscuous character among the Sudanese Touareg.

312 423 In many cases, the division of the water by turns intervenes only in a period of low water. Another method is established when the waters are high. The distinction of these two rhythms of abundance or of low water is, moreover, a constant motif. It [177] governs the relations between Seksawa and downstream beneficiaries, Dwiran and Ud Besseba[c]. Correlatively, scarcity brings into play, this would be in the matter of pasturage, narrow divisions. Thus, in Ibuban, at Tugg Lkheyr and at Timskert, the compression of the villages by the arête of the Ameznir, where the territory of the a. Mh'and begins, entails this extraordinary thing: the division of the pasturage by "cairns," lkraker.

829 Certainly, other causes can intervene. Thus this condensation /231/ of toponymy and also of human interests and work, even of affectivity, which characterize, in relation to the vast extent of mountain spaces, the tillage ground and its heart: the irrigated ground. In all the cases, a common element prevails: that of the value /Fr. prix/ attached by these men to such and such of their goods: land for cultivation, water, or pasture, in terms of its narrowness, its rarity, or other elements more obscure for us. This perspective of rarity is, in relation to the great arable stretches of plain, such as in Chaouia or in Tadla, very characteristic of the Atlas. Another consequence of the evolution

/231 cont./

829 which has gathered on an exiguous land a humanity with solid virtues, with no less solid appetites. But other considerations can come into play. For example, the sentimental hierarchy which puts in the first rank the ensemble constituted by the village and its irrigations. This ensemble is instinctively considered as the replica of the group itself, linked to it by strict correspondences, verifiable on the echelon of the individual, and inspired by a distributive ethic.

● 423 From this angle, the parcellary orchestration would appear as a law of equalization of chances, with a view to the use of the water or of the soil. It would be the rectification imposed by man on the precariousness of the milieu. The infinite parceling-out of the lands and their distribution by grounds reflect in certain respects a tendency to put each member of the collectivity in possession of similar means. Also this division of the risks increases as the value attributed to the soil is diversified, individualized, fractioned into units almost personal -- or possessing at the very least a personality, that of the name.

171 As linked as it may be to montagnard impoverishment, such comportment is not without analogy in the rest of the Maghreb. The intense vitality of the agricultural association has been justly defined as a means of struggling against the hazards of the milieu (1).

1. That is a central motif of the thesis of L. Milliot, L'association agricole chez les Musulmans du Maghreb /Agricultural association among the Mussulmans of the Maghreb/, 1911.

613 571 519 121 171 Thus the equalization of the chances is sought, not as here, in an internal equilibrium among ikhs-s, but in economic solidarity among individuals. Not in the statutory relations among subgroups in the taqbilt, but in the multiplication of contractual bonds. Beneath these differences of form disguising a similitude of objective, doubtlessly opens a fruitful path of comparison between North African societies.

/262/ The Rite of the Stone On the Boundary

423 578 Boundary disputes between riverains are all the more frequent here because the modicity of the parcels makes one utilize as separation of the lands only the "lane" of grass saved sparingly between two tillages, or even stones put likewise on the fallow land and whose dotted line symbolically marks the passage from one right to another. The agricultural ground of the villages is thus constituted by tiny patches, sometimes reduced to one or two squares of irrigation: by them, as has been seen, each family is represented in each of the toponymic quarters whose ensemble forms the ground. Any one of these parcels is therefore defined less by the topography than by its fitting in between four others. From one to another, no interruption. Only just a difference of vegetation due to inequality of manure. It is necessary to hold the stalks apart in order to see a small, raised stone, awuttu, base of an ideal line sectioning the quarter perpendicularly to its axis. Here then is a peasant society without actual limitation of the lands. One conjectures that such a stage defies judiciary law. 423 627 578 The problems that it poses in fact are those of a criticism of legitimacy, based on the contestation of civil status rather than concrete problems of emplacement. The former are never even with the plane of litigation. This is because they are amenable, not to a procedural course, but, if I may venture to say it, to an immediate law.

A sacramental operation resolves them. An "oath," as one says, or rather a gesture explained by a formula. To whom is it administered? Here, naturally, there is no qualification as plaintiff or defendant (1),

1. Cf. H. Lévy-Bruhl, op. laud., p. 95: "There is neither plaintiff, nor defendant."

in spite of the influences released by the judiciary mores, and indirectly by a procedural automatism inspired by the cadis. Someone is summoned to justify the limit reached by his plowshare or his hoe. Unless it should be the claimant himself who offers to

423 627 578 /262 cont./ support his allegations by a solemn procedure. "Accept mine or I will accept yours," rd'iyi nghd rd'igh-ak, he says to his partner.

Notice the atmosphere in which this verb rd'ǎ plunges, the root of which, Arabic, but adopted by all the Moroccan dialects, evokes in fact relations anterior to or superior to the strict law. It is in this way that in the sherifian chancellery a superlative of this root, ard'ǎ, qualifies the "faithful and beloved" vassal. A litigant adopts heartily, rd'ǎ, the sentence, or else accepts a /263/ witness, unless this should be the opposite. The ar. /Arabic/ Mâ rd'ǎ-ch expresses the menacing despair into which iniquity plunges a person, driving him to a serious act: vengeance, malediction, suicide. As always in such cases, with rare outcroppings of a strongly archaic juridical lexicon, it is not so much an act that the word connotes as an attitude, a state. Corroded reminder of a stage when social relations were expressed as relations of "figure," of "personage," or, let us say, of status.

That undoubtedly accounts for the obscurity in which this agrarian ceremony plunges even now. Obscurity not only to our eyes, but also to the very ones of the actors. The devolution of the oath to one of the two adversaries is not regulated by anything expressible, in any case nothing that would be apt to be confessed by the present users. Doubtlessly it operates by virtue of emotions to which the tone of the words exchanged, the vigor of the cry of the one offended, the latent opinion of the riverains who flock together on the field contribute.

One of the two, then, proclaims that he is indeed at such-and-such a place in his rightful patrimony, aida-n-s. Simultaneously, he places on the contested spot a stone or clod dug from the field (1).

1. We observed this practice nearly everywhere in Morocco. Always this unity of the ethnographic foundation!

A certain ambiguity of the interpretation may appear here according to the material of the instrument. The stone in the case at

/263 cont./

423 627 578 hand is also the landmark. The clod appears as a projection of the field. Both may be considered as conveying the forces that, by his gesture and his formula, the individual has in some way fixed upon himself. This genre of interpretation comes very easily to mind and cannot be seriously contested, whatever reservations the excesses of the method in Maghrebi ethnology may have inspired. Naturally, the local explanation is religious and elaborated. It comes back to the meaning, affirmed or not: "... that this stone should lie heavy upon me the day of the last judgment." Whether or not that is a matter of a reinterpretation, the thing is evident. The liaison of the stone with the idea of boundaries is a general theme (2).

[114]

2. Cf. A. Magdelain, Essai sur les origines de la sponsio /Essay on the origins of the sponsion/, 1943, p. 164, which indeed makes evident the importance of "sworn law" as an archaic stage, and p. 15 on the liaison of Jupiter Terminus with a stone in the procedure of the foedus /league between states, compact between individuals/.

The value of the pebble, as representing the person (3),

[114]

3. Hanoteau and Letourneux, La Kabylie et les coutumes kabyles /Kabylia and Kabyle customs/, 1873, t. II, p. 8, n. 1, mention, without lingering on it, a remarkable rite of apposition of a stone by each tribe in an important deliberation.

also appears here readily in the /264/ plural oaths: the first of the coswearers alone pronounces the formula; the others validly limit themselves to depositing small pebbles, tizratin, on the place of the rite after him. And the practices of expulsion of fatigue or of sickness which consist of the deposit of a stone have been

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423 pointed out in the Maghreb for a long time. In all this there is
629 an ensemble of closely related ideas which surrounds by its total
578 context our oath of boundaries. I might add that this last is of
[171] absolutely universal usage in Morocco, "Arab countries" included, and that it seems to have the characteristics of the most ancient institutional base.

423 On this level, we are fully in the atmosphere of "sworn law."
629 The "oath" acts naturally here as a very ancient mode of creation of the law. It is it that preserves the veritable ordered dustiness that, in the ancient equilibrium of the grounds, the infinite multiplicity of the patrimonial representation typifies. That is indeed a remarkable thing, and one that can give an idea of the most archaic bases of this agrarian life.

Other Juridical Gestures

000 The Seksawa system further knows a certain number of courses expressing the same genre of attitudes with decisive value.

586 A repudiated wife does not accept the marriage settlement
691 and the acquests that the husband has handed over to her. She makes a bundle of them and, in spite of the resistance of the chorus, justly disturbed, she "projects" it "to the heart of the jemâa." Consequently she is considered free of the consequences which the apprehension of the objects would have implied for her and which would have meant replevin for her. Quite the contrary, she henceforth poses as claimant, as suppliant. The jemâa feels obliged to intervene for her. As most often happens in similar cases, it is in a reconciliation -- that is, in juridical language, in a transaction -- that the scandal will end. The frequency of
691 this genre of denouements in the oldest atmosphere of the Maghrebi law, and this was on the occasion of litigations brought before the cadi, has struck all the observers. Paradox, one might think, in a society so contentious! But it is more instructive to see here the victorious rise of an old juridical base running through the modern proceedings. There would be the key to this procedural anomaly.

/276 cont./

794 184 But these diverse characteristics originate at the stage of rustic exchanges between villagers and saints of grounds: and it is at this stage that they may best be analyzed.

Seasonal Rites, Collective Pacts, Individual Contracts

796 Habitat of the sacred: personal or simply communal sanctuaries. Rhythm or phases of the sacred: these periodic renewals marked by agapae, pomp, and sacrifices. Finally, accountancy of the divine: here is a very important third element, perhaps the most striking, and which impresses on the institution a cachet of specific ratiocination and avarice. And although it plunges into collective apprehension and depends narrowly on the recurrence of natural phenomena, it manifests itself under the aspects of individualism and conscience. There is something very remarkable there: the liturgical periodicity, itself linked to the agricultural periodicity, terminates in a contract. [241] [221]

794 212 895 The old jurists from the Sous, who make themselves the echo of quarrels among hamlets for the recompense of the fqih or the repairs on the communal mosque, raised the question of the obligation of the Friday prayer in the case where several hamlets or "bicoques" /shanties/ (in the etymological sense) have together only one mosque, which is not close to any of them. The liaison of this institution with the taqbilt, which is distributed in a plurality of habitat, furnishes an interesting historical suggestion. [634] Another characteristic that one might draw from these jurists is the liaison of the recompense of the fqih to the turns for water, that is, to sum up, to the agnatic order (1). [312] [423]

[465] 1. Ajwiba said to be from "Bennâçer," that is, from the sheik Ibn Nâçir of Tamgrût, ms. zaouia of the Mez'ud'a, p. 54, l. 7 sq. The salary of the fqih is fixed on ayyâm dawlat ᶜuyûni-him. The ar. /Arabic/ dawla, "turn," corresponds to the chl. /Shluh/ tawala. But is there derivation?

/277 cont./
175 794 675 [376] [126]
the usual procedure of these obligations of group to patron. Such testimony is rare: the beneficiaries keep them secret (2).

2. We have been able, however, to procure for ourselves at the zaouia of the Mez'ud'a one of these acts, which we reproduce as Figure 10, page 390.

Perhaps even many of these contracts are pure etiology of a custom in being and for which one should have tried to place the origin and to find the explanation.

796 Let us pass now to a second element of institution: these mâruf-s of which there has already been mention many times. This word, used here rather than that of musem, has been attested since an ancient epoch and paradoxically combines the Koranic notion of "good" and that of "customary usage." Veritable play on words, which seems intended, since a number of customary codifications have feigned to be based on it and sometimes even yet it is invoked by /278/ /Fig. 10 appears here/ /279/ innovating jurists. The mârûf is the seasonal rite incumbent on a [782] group with regard to a saint. It usually includes a blood sacrifice, tighersi, but differs from other gatherings, such as the tinubga or 796 tiwilt, which have no religious import. The chchard' is found in *675 the old acts in the form of testamentary prescriptions, accompanied by invocations and conditional curses: last words of the dying saint to his servants. Sometimes accompanied by homilies, it constitutes, for multisecular lapses, the charter regulating the relations of a group with the local representative of the sacred.

794 Several saints possess an estate, ras l-mâl, maintained from [776] year to year by the sale of pieces of meat. This sale is done at [423] auctions. It releases the emulation, itself ostentation, which this [432] kind of concourse calls up. But the money owed is almost never [452] demandable until the following year. An embryo of credit thus [693] forces its way through. It includes inscription on written rolls and the montagnard notariate is actively occupied with it. Elsewhere we have described the demarcations between the profane

[TEXT CONTINUED ON PAGE 391]

/285 cont./

ago it was he who presided over the Thursday market, and it was in his edifice that the moqaddem of Lalla Aziza remained to settle the litigations. If one compares this H'addo the Yah'ya buried in the "house of Lalla Aziza" with the Sliman buried at Anchkrir not far from an Azzô, the identification with at least three of the personages mentioned by Ibn Khaldûn will be confirmed. A certain liaison of the historic cycle and the ritual cycle is thus suggested by the only archeological indications. How this liaison could have been established, and, in that case, what distortions the rite has printed on history, this is what has been examined elsewhere. But let us salute again here the synthesis and its profound relations with the functioning of a group life.

The Fisc of the Holiness

The same impression will emerge from an institutional analysis of the system whose topographic situation we have just studied.

What is striking at first is the relative importance of the perimeter of appeal. Here again, let us start with the most concrete elements, that is, the geography.

Expressed as obligation for offerings at the time of the two annual feasts, or "stipulated subscription" village by village all during the year, the attraction of Lalla Aziza is also expressed in agrarian attachments. Let us pass by her appanage of Anchkrir, identifiable with an old center of Seksawa history. Much farther downstream, in the lower valley, at Ih'ançalen, two "parcels" called, with a play on words, id'aren n-Lalla Aziza, "the feet of L. A.," frame the river on both sides: a sort of portico which the current passes and which perhaps indicates an old rite of passage. We are still, it is true, in Seksawa, among these a. Abdella whose name refers to the not very orthodox agellid of the fourteenth century. But in the plain itself, at Gemassa of the Fruga, the saint has available two /286/ shares of water on the Lalla Çfiyya wadi. According to the oral traditions, in ancient times the people of Gemassa and the a. Abdella contended for the water of the river by force. The conflict ceased only with the

/286 cont./

173 arbitration of the saint. Thus she obtained two shares of irriga-
706 tion, each conceded by one of the parties. Let us note that to-
[794] day the a. Abdella are separated from Gemassa by several foreign
[423] tribes and about twenty kilometers as the crow flies.

Likewise in the plain, in Dwiran, at the place called Jemâa Tagharro, the saint initially enjoyed a field, Zagho, of which, moreover, today there remains to her only a right for water. Here [648] again, this benefice is related to a political manifestation: the Sultan was ascending in an expedition in order to lay siege to the Seksawa. Their protectress marched to her encounter as far as the place called Tazuggwart n-Lalla Aziza and succeeded in turning him away from his schemes for the siege. The chronicles bring to mind several attempts of this nature, and we even have contemporary evidence of one of these intercessions. Here one is moving on solid ground, and there again local signs confirm legend and history.

[792] In another direction, toward the E., a chronicle points out to
[788] us, about 1708, the marabout of Tasaft, hero of a montagnard resistance against the makhzan power, coming on a pilgrimage to Z'init' (1).

1. Justinard, La Rihla du marabout de Tasaft /The Rihla of the marabout of Tasaft/, 1940, p. 124. On Z'init', pp. 110 sq. The author does not speak of Lalla Aziza, but of the "marabouts of the Seksawa."

He comes from afar and must cross high passes. On the way, he sees on a slab of polished stone imprints of horseshoes: legendary traces of the Almohades. The uneasy nostalgia of the storyteller for this brilliant and wretched period of greatness doubtlessly stirs him deeply when he comes to Z'init'. In this asylum, a banished caid had been able for a long time to flee from the men of the central power, who watched him from ambush in a. Musa. This sort of continuity that one feels established by the narrator in time and space between Ibn Toumert and Lalla Aziza is significant.

/286 cont./

173 Nothing more than an association of ideas, but haunting. It sus-
776 tains this prose of images which break its aridity. Doubtlessly, priding himself on his erudition, the author confuses everything a little. He mixes the legendary or folkloric traits having reference to Ibn Toumert with those that have reference to another "Imâm el-Mehdi," the one from Massa, who is supposed to appear at the end of the times. Imprint left by a great epoch, popular millenarianism of the far Sous, more modest but intense hagiology of the local saint are perhaps confounded in a common horror for the central administration, but this syncretism is not /287/ without interest. Practically, until the Protectorate, the religious force of Z'init' blocked downstream all the offensives of the plain. And still farther toward the N., a whole hagiological moraine denounces a former expansion proceeding from these high places of the Atlas.

In the epochs of order, such efficiency must have compromised with the power. Here are three dahirs (1760, 1812, 1863) which granted (or rather consecrated) privileges to the "descendants of Lalla Aziza," a flattering qualification of those who are only the "poor" or "ministers," or only the "beadles." They ac-
794 cord them a share of water on the al-Qîhra wadi at Taghzut. "That
423 no one, Arab, Berbère /Berber/, or other, either approach them or circumscribe their space (1),

1. Note this term of sâh'a, "clearance, vital space." That is what the chronicle uses to designate the perimeter of plain cut off from the Seksawa by the Mérinides in the fourteenth century.

yat'ûfa bisâh'ati-him ..., in whatever may come to them." The granting of the right of asylum, and of a plenary fiscal exemption: "whoever may seek there protection or shelter will be inviolable in his person and his goods."

778 Indeed, the influence of the holy place does not diminish at
776 all. According to a prediction of sidi Moh'ammed b. Abdallah of
794 Assttif, a marabout himself and a visionary, the powers of Lalla

/323 cont./
691 have studied it above. It aims at re-establishing a distributive
695 integrity among riparian patrimonies, thus bringing into play an agrarian order on whose exact nature it has been necessary to reserve judgment.

423 Finally there are the conflicts of personal or landed-property
691 order. The procedure — it is indeed then a matter of procedure — is in two parts. The temporal authority, made cognizant first, brings about and records the agreement of the parties in the person of a muh'akim, most often a religious or scholarly individual. Who is this personage exactly?

Judgment or Arbitration?

623 The judiciary attributions in Chleuh /Shluh/ country are en-
634 trusted today to a collegial Tribunal. This is an extension of the
619 former competence of the jemâa, which customarily dealt with
692 only public law and the first phase of the judiciary instance properly speaking. But this extension doubtlessly is not exorbitant of a lively communitarian tradition, which is explained by the fact that, in contrast to the feudal forms observed on the plain, it impressed the reformer.

/324/ On the other hand, and on the historical plane, nothing permits affirming that in a number of epochs this extension of
[629] competence was not produced spontaneously. The demarcation between the natures of the public law and of the private law is tenuous since most of the landed-property litigations arise from conflicts between groups or subdivisions of groups, which is also the theme of the public life of the canton. Some written traces of settlements of this sort authorize the hypothesis.

/The following two paragraphs are in small type in the original source./ An act of 982 Heg.: 1572, concerning the well-known gens of the a. D'alh'a and some persons from Tawanghast, mentions that one of those interested "produced, in the bosom of the jemâa, the act of guarantee of his mother's dower," kharraja ᶜala wasat'i'l-jamâᶜa. In this affair, obviously of private law,

/338 cont./

613 the occasion of plural oaths, it is the most closely drawn circle of agnates that is invited to confer on the litigant its balance /Fr. 613 appoint/. Conservative mechanisms, such as the chchfâa or the 423 habous /wakf/, are applied to maintain or re-establish a patrimonial immutability, less familial in the narrow sense than gentilitial, against any land alienation or leasing. The /339/ ancient act to which one party, the açl, will allege an exception, and which has the more worth as it becomes older, many times consists of a simple unilateral affirmation of the land rights of the ancestor. The genealogical tree, chchajara, and the successoral distribution, lmirath, archival documents manifesting the agnatic continuity, play a decisive role in the proceedings. An instinct for reconstitution stands in opposition to the dispersive force of inheritances and personal enterprise. Between rich cousin and poor cousins, it animates and obscurely justifies these takings and retakings that tradition and opinion liken less to usurpation than to escheat or a sort of permanent revenge between rightful co-claimants. This alone justifies and authorizes the existence of a gentilitial agrarian order.

613 All the effort of the jurisprudence, were it that of the great 671 cadis of the Sous, has been dedicated to serving rather than amending this situation. It is that the ikhs thrust itself, with all its attachments of public law, upon the private law. Conjugal foyers on the one side, city on the other are pendant, one might say, on the two sides of the ikhs. In it is their point of junction, on each side of which profoundly different social rhythms reign. On the one side kinship and alliance, justiciable to the memory of the living, and finding their practical application in each successoral dispute. This is the reign of the writing. On the other side, larger and larger classifications are drawn up in echelon from the ikhs to the smallest political unit, the taqbilt, and from there perhaps to the great legendary divisions of North Africa: Maçmûda, Zenâta, etc. There the reign of unwritten law begins.

At the antipode of this gentilitial life, here is the individual person. Not only is it the single subject in the eyes of the law,

/352 cont./

593 generation, like new sediments, humble advances that the labor
421 of man realizes, such is the peasant ideal that this classic form of the proceedings reveals. Primus brings against Secundus a chchfâa resulting from the existence of a habous set up by his great-grandfather. The purchase consented to by the father of Primus, which Secundus is referring to, is then null. But Secundus demonstrates that the foundation only dealt with an area far smaller than the landed property now claimed and that such-and-such extensions were realized, after the habous, by the grandfather and the father. The discussion is then oriented toward verifications of the civil state of the parcels by the production of old "nominative inventories," jrida.

613 The division of labor between these familial co-operators
423 coincides most often with a landed-property indivision that may branch out, over the lapse of several generations, indeed over the whole history of an ikhs, into monstrous juridical arborescences.
[428] The woman inheriting, in principle, on the pattern of the fiqh, the minors and incompetents are then found most often enlisted in vast agnatic solidarities, whose abuses find a corrective in the insecurity of established situations, imprescriptibility of rights, and criticism of origin to which this milieu untiringly delivers any possessions. Here again a sort of equilibrium at term is realized. In time it is true: and several generations sometimes pass before there is recovery. The disappearance of such-and-such individuals, of such-and-such families, by "extinction," for example, inqirâd', a theme that recurs quite often in the old acts, is not free from ending in the constitution of a certain margin of "goods without master," closely inventoried moreover in the consciousness of the group, and which, tacitly, are the appanage of the powerful of the day. Premium for individual appetites, and rudiment of a domainal one.

613 Thus individual depredation and communal constraint encircle
671 the life of the ikhs. The modern law of the Seksawa has perhaps made out of the exuberance relations of action and of reaction established, on both sides of the ikhs, by these two rivals. Doubtlessly the gentilitial structure, evoked by unwritten laws of the

/352 cont./

613 671 agrarian order, has survived up to us. But on the juridical plane, it has finally suffered, more than the group, from the invasion of the notarial writing. And its contest with the economic chances of the individual still endures, and becomes bitter. If it were ever able — a stage /353/ quite hypothetical — to preside over a form of this society where everything agreed harmoniously around it, ritual autonomy of the patriarchal family, hagiology of ancestors, law of agnatic type, that collapsed long since. One has [178] the impression that for four centuries at least, in the place of what one can imagine of the ancient ikhs, the society has been undone or, more exactly, redone (1).

[171]

1. These reactions of the group to the gens, sometimes by legislative means, are known in classical Antiquity, where they constitute in short the essential of "reforms" that intervene here and there. Durkheim has profoundly noted it, Ann. soc., t. VI, pp. 324 sq., 373 sq., apropos the Athenian genè and phylaï. We shall return to this idea in our conclusions.

/354/ Land Law

Double Character of This Law

613 423 [128] The maintenance of the agnatic group in its landed position will be the central motif of this chapter. But a total liberty of landed-property operations surrounds this motif with a fringe of lesser application or even of contradiction. In extreme cases 423 181 mobilization and alienation of the land intervene, and put in play a passionate contractual individualism. This is an important theme of these societies. It interferes with the one, no less important, of communitarian permanence. Both react constantly with each other. Hence contrasts and antitheses, at which a superficial view might stop, but we shall try to see if their

423 /354 cont./
181 existence is only picturesque chance or corresponds to something historic.

423 829 Two adages, reproduced by the Chleuh /Shluh/ jurists, illustrate the two faces of the problem (1).

1. J. Berque, "Les Ajwiba d'al-ᶜAbbâsî /The Ajwiba of al-ᶜAbbâsî/," R. al., 1950, note to §10.

"The field," says as-Suktânî, "is, in the Sous, more essential than the house elsewhere." "Our fields," says an author from the Ammeln, "are our money. Therefore we use them as someone else would use money." How the permanent landowner-foundation of this society can arrive at a completely fiduciary mobility, this is what we are going to try to understand.

423 The space, I mean the irrigated and valorized space in which this life moves, is madly exiguous. Figures have been given that would illustrate to the eyes of the economist the fundamental futility of it: something like a humanity upon flower pots! But
423 166 167 174 this very unsufficiency seems to have at all times contributed, along with other factors, to the practice of emigration. Departures, seasonal or for a longer term, descents, coastal or deep-sea, if I may venture to say it, to the plain, desertion before famine or sickness, evacuation before the enemy, movements provoked by distress or aggressiveness: quite an intense vibration of groups and individuals is to be divined in the past. Whence these still /355/ identifiable deposits left by layers of vanished populations: a. H'ogg^{w}a, a. Ish'aq, a. Gasa in the Moyen /Middle/ and the Haut /Upper/ Seksawa. Indications of a violent past, certainly. But
423 425 violence in itself alone does not explain everything. Landed-property legitimacy is irreducible here. The best proof of this is that in the case of military conquest the conqueror himself judges his right insufficient as long as he has not succeeded, by long and difficult negotiations, in consolidating his land expropriation by regular purchase. Here are three examples of this.

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423 /The following three paragraphs are in small type in the original source./ Some a. Gasa titles were shown in 1948 on the occasion of a dispute bearing on lands situated between Z'init' and Jjgit. They came in support of a claim which did not hesitate to attack an occupation of at least a century and a half.

An act of 1234 Heg.: 1819 records an agreement among the a. H'adduyws on the subject of some property of the a. H'ogg^{w}a. The jemâa proclaimed the unopposability of the habous to which the a. H'ogg^{w}a were pleading an exception in order to break up the landed-property alienations and leasings, even those consented to on the part of women, to which a conqueror referred. Such a deliberation, which implies the existence of numerous and argued litigations, attests to the fact that the a. H'ogg^{w}a, although pursued by war and in fact dispossessed, are always regarded as the origin of all landed-property rights, and that it is necessary to go back to them by regular purchases in order to justify a possession. The fact of eliminating the difficulty originating from habous in no way limits this preoccupation with origins; on the contrary, it confirms it, since it is only by purchases that the habous can be opposed. One thus sought to purchase.

A third example is offered by a document of 1310 Heg.: 1894. A few years earlier the same a. H'adduyws had won the ground of Tasselli from the Idma. By ransom or counterattack the Idma recovered it. But certain ikhs-s were false, being on the side of the adversary. Their goods were then divided into portions awarded to the members of the coalition. This trait would seem to be in opposition to preceding ones. It is so only in appearance. The owner's legitimacy, if it resists eviction, may disappear because of certain errors solemnly attested to. A marabout of Assttif presided over the exclusion of the traitors. This is a sort of ostracism. Neither spoliation nor even civil sanction. The group, by an intense manifestation of its internal tension, re-established in their purity the bonds that attach it to its soil.

/355 cont./

175 423 691 This new element will have made the analysis progress. It results from written testimony, and by no means from hypotheses more or less subject to caution. It reveals, in the comings and goings of the man, due to the difficulties of the times, a constancy that attaches it to a ground, and is not without aspects of a magico-religious order. This bond can survive the most violent vicissitudes. On the condition, undoubtedly, that the name survives. [103] The primacy and the extreme conservation /356/ of toponyms in this part of the Atlas are perhaps the reason that this persistent legitimacy can be observed here to a degree unequaled, it seems, in the rest of North Africa.

The last of these acts also supplies an important element. It is seen here that the equilibrium between the group and the ground may undergo modifications because of the intervention of the group. [613] Consequently who knows if the patrimonial representation of the ikhs-s in the quarters does not reflect deliberate initiatives and, in short, measures of application of the first law?

425 However that may be, permanence and agitations of the landed life are fashioned according to figures that it will not be from an overly systematic logic to call tied between them. Now the instrument of the exchanges here is money: that which is amassed on the spot and that which is fetched from the outside. [436] This is the double aspect of a monetarism that forms the unity among the so-called contradictory, and at the very least contrasting, aspects of the milieu. How these different economic or moral factors are ordered is what we are now going to try to elucidate.

Patrimonial Legitimacy Versus Possession

428 And first of all the notion of patrimony exists in this society. The law, like the mores, expressly refers to it. This is the ddment [192] (1).

1. From the Arabic ad-dimna, plur. diman, "place smoked by the proximity of the

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(192)

/356 cont./

/footnote 1 continued/ habitations." This semantic derivation was perhaps inspired by the analogy of Berb. tamazirt, "cropland," a general term in a whole portion of this linguistic domain, along with amazir, "manure." Hanoteau and Letourneux seem to make a rapprochement between these two terms, La Kabylie et les coutumes kabyles /Kabylia and Kabyle customs/, 1873, t. I, p. 414.

corresponding to a notarial word, ad-dimna, semantically strange. In the settlements of acquests, a praecipuum of a half is always subtracted as representing the portion of what we would call the "family property," if this latter term did not much more precisely express the Seksawa habous. A fatwa /futwa/ of 1220 Heg.: 1805 (Tamt'ddit) illustrates the antiquity of the practice. "The ᶜorf," it states, "sets aside half the goods for the dimna, by analogy with the commandite where a part of the initial capital is reserved. The remainder is acquests and accrues to its sharers." This conservatism nevertheless lets fuse here and there forces of evasion, wishes for rupture. Such more or less aberrant circumstances have sometimes permitted personalities, either introduced or local, to seek to break this sort of immanence of the ikhs-s in their soil.

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/357/ /The following two paragraphs are in small type in the original source./ Thus in 1147 Heg.: 1733 a "caid" from the piedmont, Lah'sen Twagga, implanting himself in the lower valley, affirmed: "All this land has never had a master — to one's knowledge — either in our time or under paganism or under Islam. It has not been reputed associated with anyone until the present Caid, the first, vivified it. And he vivified it in full by his means and those of his men. He put it in a state of "repletion" (ᶜimâra, in contrast to "desertic emptiness" or to "vacancy," khuluw). He remained there. He made a frequented bourg out of it. He dug a ditch there, not without setting apart a portion

/357 cont./

175 423 425 of it for the saints of the Seksawa, such as Lalla Aziza and the H'ançaliyin, in conformity with ancestral usage. He planted it with trees and sowed it with cereals, and surrounded it with an enclosure," etc.

Much farther upstream, at Rekto Wasif, in 1011 Heg.: 1603, a cultivator required evidence that he had exercised usufruct over a piece of land "from the time of the sherif." The witness attests "to have participated in a twiza of fertilizer and other practices of tillage and harvest with the Ait Wasif."

423 671 171 But possession will never hold against the right of origin, the basic legitimacy, açl. The fact is important enough to be the object of deliberations and even of codifications. In effect it runs directly counter to Mussulman law. This conflict between the master and the disciple is striking. Indeed, despite the moral exigencies that bring it closer to our canonical law in its criticism of the vices of usurpation, violence, and even of precariousness, the Mussulman law causes to intervene the notion of a duration whose prolongation entails juridically the purge of these vices and constitutes in the long run the title of ownership. Moreover, its litigious and technical nature, making it confuse the right and its proof in most of the cases, leads it to confer upon the possessor the advantageous qualification of defendant, which very often will end the proceedings in his favor with a simple swearing of an oath. Nothing more remote from the Seksawa custom, where the burden of proof devolves on the possessor, and which is ignorant of any legitimating effect of duration.

423 671 (613) Applied to the letter, the preponderance conferred on the written title, by a technique so imperfect and offering so little in guarantees of authenticity, over ancient possession apparently leads to the worst of hazards. In fact, the "legitimation" of which the documents speak is the notoriety of the group attaching such revendication to the well-known patrimony of the ikhs. This genealogical consciousness of the group, tied to the structure of the ground, is what must be referred to in order to give an account of the customary rule of action that has become incomprehensible beneath its cloak of written law. Deliberations of this sort,

/357 cont./

423 671 denying any value to possession, have been /358/ found in Imt'd-dan and in Idma. I have given elsewhere (1)

1. "Documents anciens sur la coutume immobilière des Seksawa /Ancient documents on the landed-property customs of the Seksawa/," R. afr., 1948, pp. 386 sq.

the text and the translation of the second of these documents, which it seems useful to reproduce, as much for its basic interest as for an illustration of the singular disposition of these groups to legislate.

175 423 671 /The following six paragraphs are in small print in the original source./ Copy (1348) of an act of rabīᶜnabawī 1266 Heg.: 1870. Be it known by these presents that in the custom of the Idma country there can be no rights drawn from possession. The latter, even prolonged, does not constitute valid title.

It is only if the titulary of the possession establishes its origin: how the right to the property passed to him, and the proof of his entering into possession by sale, redemption, donation, inheritance, that his possession will be valid. The party arguing faulty sales, or redemption, will again claim his title, and the original right will return to its origin.

Consequently, possession legally requires from the one who argues for it a legitimation. But if the origin that it invokes was reduced to nothing, the possessor would be no more than a usurper in our country. If not, not.

That is what we hold in all certitude from our past ancestors, and what they have written in our acts anciently and successively.

Still today, whosoever does not produce his origin, his possession depends on the pillaging of the goods of orphans, and on the iniquity due to the fact that in an unruly country the weak one does not obtain his rights (2).

2. Fine trait of what a modern school would call a feeling "of alterity"!

/358 cont./

175 423 671

It is for this reason that the tribe has agreed upon this point, thus cutting short contestations opposed to past or future revendication.

This hostility to a right drawn from possession, that is, let us take care, to ownership, whenever it does not agree with the gentilitial distribution of the ground, is not new. A judgment of 991 Heg.: 1583 (a. D'alh'a) is based on the consideration that "these claims given out on faith from possession are vain and can be heard no more than the void." At this time, the generalization of the notarial writing being quite recent, it is not very probable that the açl was necessarily an act. One is thus led to suppose for this period means of proof other than the production of writing. Recourse to a sacramental procedure, to sworn law or to such a manifestation by the group? It is probable that the notarial [177] method was literally snatched up by the needs of the Chleuh /Shluh/ society, which, in this matter as in others, surpassed and overwhelmed, according to its own ends, the prototype from the fiqh.

/359/ Former Form Poorly Normalized: the "rrahn"

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This procedural rule found its keenest necessity in the existence of an institution that combines stability and mobilization of the patrimony. I mean the rrahn (1).

1. On the Berbère /Berber/ rrahn, cf., besides our afore-mentioned article on al-Abbâsî, notes at §§12 and 14, with quotations from al-Bakrî, from the Istiqçâ', and from the Manâqib al-H'ud'aykî on the history of this form in the Sous and the Atlas, see as-Suktânî, Ajwiba, ms. from the zaouia of the Ud^{c}Abdalmawlâ, pp. 80 b sq. Among the European authors, cf. especially, besides the fine study on the Kabyle rahn by H.-L., Kabylie... /Kabylia.../, t. II, pp. 534 sq.; G.

/363 cont./

country is sold, a whole mountain canton. As an act of 1093 Heg.: 1687 says, "all of it is sold, including the jackal of the forest," jami^{c} mâ la-hâ fî dhi'b al-ghâba.

To the lineage revendication, a term that appears to correspond to the patrimonial constancy of the ikhs, is added yet another resource: the chchfâa. This is a matter of something much broader than the faculty of pre-emption that the fiqh offers to the joint-tenant /Fr. coindivisaire/ of the seller. It is not even excluded that formerly the son would have been allowed to put it in opposition to the sales of his own creator. Such a pretension, monstrous in the eyes of the Mussulman law, and moreover of logic, was in 1952 seriously brought before the Tribunal coutumier. In fact, what the Seksawa call chchfâa could be defined: "the exception drawn from the patrimonial maintenance." Sometimes, and this is the orthodox case, a relative intervenes in order to make the option work to his advantage; but by definition this form is as rare as the sale itself. In the generality of the cases, the exception comes to act a long time after the event, as a means of having a habous sale rescinded. I thus come to this institution, which, in Seksawa country, does not at all have its classic or even Maghrebi physiognomy.

Agnatic Sequestration

What is striking first of all is that in the Seksawa mountains the goods of a zaouia, such as the zaouia of Lalla Aziza, a rather large estate-holder /Fr. domainière/, have the characteristics of a private estate. Likewise the turn for water, for example, earmarked for the marabouts on the downstream séguia. On the other hand, the private goods in the mountains are habous most of the time (2).

2. This meaning of the habous has been seen clearly by J. Lafond, Les sources du droit coutumier dans le Sous /The sources of customary law in the Sous/, 1948, pp. 81 sq. In

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/footnote 2 continued/ theory, however, the woman's right to inherit is absolute. It is exercised not only in the margin, /this footnote is continued on the following page in the original source/ Ih'âchit, that the "agnatic sequestration" lets exist, but it is a constant procedural theme. The women's share often being forgotten in the acts of sales, this will later bring about their annulment for all that concerns the women's share, and without prescription intervening. On the other hand, in neighboring societies, the Aghbar for example, if one is to believe the in. /unpublished/ monograph by Lepage, the woman cannot possess landed property in the Imsifern leff (a. Gasa, a. Tkssit, Amismatert). She may, on the contrary, in the Inghertit leff (a. Gâir, Imelwan, Iwensenkten).

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From these habous, pious devolution, even distant, /364/ is formally absent. That then is the extreme case of what has been observed nearly everywhere in North Africa under the name of "private habous," and where the exegesis has correctly seen a procedure of disinheritance of the women. Here the intention does not disguise itself by any stratagem; is crudely displayed. The founder specifies that, in case of extinction of the male branches, there will be a carry-over of the ensemble of the inheritance.

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War, emigration have sometimes posed this case. This is the so-called type of the inquirâd'. It is rather frequent. An interesting fatwâ of 1220 Heg.: 1805, emanating from a jurisconsult of the Imt'ddan, concludes with the help of texts that the carry-over of the habous should benefit only indigent heirs and in order of decreasing necessity (ih'tiyâj). A second opinion, bracketed with the first one, is further supported by the judgment of the jurists of the Gezzula, utilized in his Ajwiba by ᶜAbd Allah b. Ibrâhîm at-Tamulî. Ar-Rasmûkî would have likewise judged in this manner.

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794 428 671 decide the litigation from a point on the whole secondary, like a feint in a joust.

That is a new chance opened up to the adversaries of the habous, a new possibility of play, anything but negligible in the spirit of the system. But what accumulated risks! The landed-property procedure of the Seksawa recalls the shows in which a player must guide his ball through a multitude of snares and traps to a very chancy issue. This issue, in the case at hand, is the alienation of the land. And although it results from possibilities opened up by the orthodox law, which one professes /367/ to follow, and by the very form of juridical expression, one divines at what point it remains improbable, and doubtful even in success.

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General View of the Familial and Landed-Property Law

121 If one now groups the most striking aspects of the system, one will realize that it is the triumph of Homo oeconomicus. Of the rite and the tool, to return to the two antithetical notions from which, for a Moroccan society moreover very different, Azemmour, the late Ch. Le Coeur drew his inspiration, it is by far the second that occupies the foreground here. One might even say the tool in the proper sense: namely, the peasant's hoe, this agelzim that sculpts the tiers, distributes the water, inscribes, in gains of a few square meters, the patient work of generations, fashions this rural landscape, which is the most made that North Africa knows. Workman's landscape...

121 671 But this impression is modified somewhat if one leaves the domain of the law that is conscious, avowed, marked by its successoral schematism, its litigious tricks concerning goods, its ratiocinations concerning household life, in order to examine its relations with the agrarian order. At this level a ceremonial commentary, a sentimental context envelop words and gestures. Agnatic solidarity appears as one of the active bases of the life of the canton. But what remains of this structure once past the threshold of judiciary debate, which is also the threshold of the

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writing? Truthfully, few things. An entire gentilitial culture seems to have been jeopardized here. The writing has gone that way. Writing of another language, minority, professional, tending to be secret. It carried with it a sentimental pedantry, a doctrinal propaganda, and a notarial technique. It did not remain a means, but became a master. The whole matter of successoral law was profoundly transformed by it. Matrimonial law resisted better. It in fact kept, thoroughly colored by rite, a stronger originality than the former, which imperious acquisitive instincts dominate. The intensity of emotion, moreover, was not the same in the two domains. Paroxysm of the moment in the one, continuity in the other. Resistance had to be unequal. Festivity on the one side, duration on the other. The notarial language, powerless to deform the festivity, tyrannously lent itself to long peasant perseverances. It governed the secular courses of them.

But on this side of the stage of expression, the communal peace was strongly maintained, or re-established underneath, in the order /368/ of irrigation, the parcellary orchestration. One thus arrives at the paradox that the land economy, controlled above all by prelaw survivals, unconscious imperatives, but perhaps also by deliberate initiative of the group, is expressed only indirectly in the contentious multiplicity of the title. The essential of this life: agonistic vehemence, tension with alternating re-establishments, patrimonial continuity, sentiment of the legitimacy, passes through the acts rather than being expressed by them. Juridical subterfuge, procedural stratagems, an element of surprise and something like a certain cult of the absurd menace the constructions of the writing. And that indeed provokes disturbances, arouses many scruples. But they remain in profundity. The notarial language has covered everything. Its mysterious prestige and its malices have beguiled both the coolness and the duplicity of this peasant. For this peasant has found his boon there. More and more he will find it there, as by a sort of compensation, and to the extent that the judicial debate casts off its antique character. The reaction of the group will not always succeed in winning out over the forces of breakup. Then it will all be over for the montagnard institution.

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311 182 423 Let us return to the Seksawa. The field is indeed an object: it is linked to a name, protected against expropriation by neighbors, that is, by other names. It persists for centuries in the same onomastic co-ordinates. It is indentified, on the affective and juridical plane, with its rightful claimants. Finally it is the practical and individualized sum of habitudes of production. If one embraces a cadre larger than that of the parcel, one finds that most of these characters are joined in small ensembles: quarters. The parcel is in fact too tiny to constitute a natural unit. From that, it is not an estate /Fr. fonds/, but the abstract submultiple of a patrimony. On the echelon of the quarter, on the contrary, a unit does come forth. It asserts itself as the point of convergence of several elements. Among them some are intelligible to the usager: the toponymy, the visual aspect, indeed the very ones that proceed from deliberate practices: irrigation and, sometimes, crop rotation.

/412/ Others come into play, obviously, of which the local consciousness is unaware, and which only the specialist begins to perceive. Thus for all sorts of agrologic components. These factors escape the Chleuh /Shluh/ peasant and are therefore, in the immediate, without direct social import. But they offer, with the first, the common character of beginning to play their determining role beyond divisions overly minuscule. A certain coefficient of mass is necessary for them to assert themselves.

423 182 They will affirm themselves more and more to the extent that the superficies are large. Their role will prevail all the more over that of the forces that preponderate on the humble echelon of the parcel. There, on a hundred square meters, and sometimes even less, man reigns by his abstract limitations, his juridical interdictions, his will. From the quarter, on the contrary, and even more on the echelon of the ground, the conjugation of the natural bases and of the technique ends in concrete syntheses. It is of them that the rural landscape is made. They strike the eye all the more as the cadre becomes larger.

[312] In the irrigated, the physical reality of the quarter, measuring, for example, half a hectare, is already revealed to the informed

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312 423 182 eye, who can follow the cutting up of the principal séguia by the successive trenches. In the dry, the notion of quarter is enlarged to that of ground. In fact, the use of water no longer intervenes to impose so extended a differentiation of the landscape and of work. Correlatively the toponymy, which, in the irrigated, would be confined, would refine divisions and subdivisions, describes in the dry no more than very broad meshes. This changing of rhythm, linked to the agricultural technique, constitutes an important sign. The comparison of structures collected from the upper cantons with the immense deployment of the Mez'ud'a or the Mtugga furnishes another one.

423 182 But let us leave the fertile avenue that is open here to research, in order to evoke -- if only for a moment, and only for the fine antagonism of the types -- the Latin fundus, with its individuality, its name, its mass: veritable syntheis of notions of patrimony, parcel, quarter, and ground. The economy of the high valleys permits one to observe the play separately. It thus permits analysis of it. The individual patrimony is dissolved into a sampling of parcels encased in the different quarters constituting the ground. The parcel is not a unit. It is a fraction. Several causes are undoubtedly responsible for its evanescence: want of economic consistency, lack of mass, excessive and exclusive liaison with human data. The parcel, if one wishes, is the atom of this rural world, but so /413/ paltry and so little charged with material that it is reduced almost to a purely social definition.

It is not the same for the quarter. It is a veritable collective object, for it consists of the assemblage of representative shares of the gentilitial elements of the group. To neglect such a character would be to abstract and mutilate a communitarian genius that alone explains and supports the institution. But the quarter is not only an object. It is above all the meeting place of the object aspect and the factors aspect. In it are conjugated the social forces and the natural conditions. It is at the junction of the group and the soils. In it a bundle of family names is compounded in order to be enclosed in a toponym based on a fragment of landscape and a concourse of agrologic elements. Thus, the Twuttyan

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423 182 of the a. Mh'and includes parcels accruing to six ikhs-s, at the same time that it constitutes a cultural unit and a precise visual motif.

103 182 On a higher echelon the names of quarters assemble in more general toponyms those of the grounds: thus for Tamgonsi, Agersili, Tassila, etc. But it happens that the toponym is lacking: then only the name of the group makes the link for the names of quarters: thus for the irrigated cuvette of the a. Mh'nd. This is only the tamazirt n-a. Mh'nd, without any other appellation. In this case, it is true, three notions tend to be confused: the agricultural one, of ground; the other one political, of bounds; the third geographical, of country. Such a meeting is rather rare. The more so as reality never lends itself to trenchant definitions. Forms react on one another, take one another's place. And it is not as far as the agglomeration of habitat -- whatever the mediocrity of its social signification may habitually be here -- which plays its role in the large classifications of the landscape. Thus one will hear a section of valley designated as "the land of Tannsmekht," for example, tamazirt n-Tnnsmekht. And nevertheless it is but a hamlet without veritable identity. It is absorbed, with others, in the personality of the Idma. Moreover, the expansion of the latter assembled a large number of countries not having any physical or onomastic unity among them: "Idma domain," tamazirt i-ydma.

101 103 On an even higher echelon the geographical cadre can exceed even extended applications of the name of the group. Then larger structural realities come into play. They make of the canton, and especially of the ramified system of a large valley, a unit surpassing the political order. History, however, is interested in organizing it in terms of this order, and finally in resolving it there. Thus, the name of Seksawa corresponds today above all to the cadre of a fluvial basin, a system obviously larger than /414/ that of any of the taqbilt-s crowded there. Further it is known that in the great epoch this cadre could express a vigorous political ensemble. But it is not the same everywhere. The name of the Gedmiwa, quite close, is far from

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619 634 better than the puny mountain republics, known how to make itself respected. But even in the steepest cantons in Seksawa the system does not survive the problems of vaster bounds, of more complex political circuits. As soon as there is passage to a new order of size, there is passage to another rhythm. The clarity of [613] the relations between the ikhs-s and the taqbilt is effaced. Correlatively instructive phenomena appear.

For example, here are the a. H'adduyws, a vast ensemble composed of at least three taqbilt-s. The argument of a eponymous ancestor -- this is also the only case of this genre that we found in Seksawa -- covers an avowed heterogeneity of origins as well as of vocations. Here are the Mez'ud'a with their ten "centuries," myawat, expressing a recent and deliberate division, and their magnificent ritual and hydraulic order. They give an idea of the /422/ maximal dimension that can affect this genre of society without causing it to lose certain characteristics. And 613 nevertheless what changes are to be discerned there! In Mez'ud'a 619 as in a. H'adduyws the distribution of lands is no longer gentilitial 634 for the ensemble. It remains so only within the subgroups, themselves divided into ikhs-s. The connection of the ikhs-s within the [423] subgroup, of subgroups of different stage within the tribe is obscured. The habitat has an influence on the denomination of the inferior subdivisions. The ancient solidarities, expressed by an agrarian order, are effaced. There is, one might say, recourse to compensatory themes of identification or of qualification. That stands out from the name of the groups in Mtugga. Appeal is made simultaneously, or by turns, to the place, to the sobriquet, to consanguinity. A veritable disarray, a disorder which is not of the Chleuh /Shluh/ genius are distinguished, for example, in the heteroclite denominations of the inferior units in a khoms such as the Idaw Nifi. One in fact also sees simple numerical divisions intervene: a H'adduyws "third," Mez'ud'a "centuries," Mtugga "fifths." In the second of these cases, the borrowing of a [177] makhzanian form -- flattering analogy with the guich /gish/ tribes -- is obvious. But in the others, too, any artificial character is not excluded from the division.

1: Berque--645 Z-5 (ca. 1950) 1955 MW11 Shluh MW11

Pl. II /Left side of plate./

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Z'init Panorama

The green-roofed sanctuary of Lalla Aziza (1) is surrounded by the tall houses of the foqra. On all sides, steep slopes rise toward the peak of the Tamjlocht (2) and the high brows of the Mzawt (3). On the right bank of the asif i-yseksawan a barred spur with the ruins of a citadel of the ait Gasa (4). It is the Agadir n-a. Hammu. /Continued on p. 646./

1: Berque--646 Z-5 (ca. 1950) 1955 MW11 Shluh MW11

/Right side of plate./ Pl. II

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/Continued from p. 645./ -- Names of quarters: (5) Imdz'z'an; (6) Ighzer u Lh'h'yan; (7) Iunghasen; (8) Imi n-tssukt; (9) Ddu Tgumma; (10) Takriwin; (11) Amkuk; (12) Tighersiwin; (13) Tibh'irin; (14) Lfessat; (15) Imlalnan; (16) Tawunkht; (17) Ddu y-ikid'o; (18) Akhferga; (19) Ftchalacht; (20) Ddu Tizzirgi; (21) Ftelmechmacht; (22) Igad'iyin; (23) Talat i-ylâ (ravine). -- The bottom of the valley is about 1,100 meters in altitude.

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43 Nevertheless, formerly, in the isolation of this region, a
182 balanced regime had been established here; at the cost of some
[166] privations, a population that remained retired within itself suc-
[731] ceeded in providing for itself, especially in the mountains; it did not have to call on the outside to increase its resources -- in the form of temporary emigration of the able-bodied men -- except at times of famine. Moreover, the profits which the Chleuhs /Shluh/ know how to make from the trade that they carry on in the towns even used to give certain tribes -- /47/ the Aït ʿAïsi and the Aït Mzal, for example -- actual prosperity.

433 But this fragile economy was to be upset by the opening of
439 Morocco to European markets in the nineteenth century. So poor
182 a country was indeed tempted to improve its difficult conditions
177 of existence by importing foodstuffs, clothing, and manufactured
[631] objects; but at the same time its purchases were contributing toward exhausting it. Moreover, since the establishment of the power of the great chiefs and kaids over the independent communities had the consequence of imposing heavy burdens on the tribes, the economic ruin of the Sous was to be brought about in two generations of people.

433 In truth, the various parts of the country found themselves
184 unequally affected by this transformation, according to their
182 initial state of poverty, the way of life of their inhabitants, and
177 their degree of penetration by the modern economy.

In the mountainous regions, at least where the political evo-
511 lution has not noticeably altered the primitive conditions of the
556 people, there are neither true poor nor true rich. Each Berbère
[184] /Berber/ possesses a small flock of sheep and goats, and in the
[422] bottom of the valley some cultivated terraces, big walnut trees
[423] irrigated by the séguias, and almond trees on the flank of the mountain. Barley, rye, maize, turnips, long garlands of which dry hung along the houses, suffice for daily subsistence. Goats or sheep are sacrificed only on festival days or when a guest
511 comes by. Clothing does not require any great expense. That of
556 the women is made of a very long piece of brown wool with
291 which the body is adroitly draped and which is held above the

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/footnote 3 continued/ des Haha /Social and domestic organization of the Haha/," Bulletin de l'Afrique française, 1905, Rens. coloniaux /Colonial information/, p. 9. Actually made up of several family groups ("ikhs") of diverse origins, the "mouda^{c}" has less importance and cohesion in the independent regions than the fraction.

One must bear in mind, in order to evaluate the observations made by Doutté in the north of the Haha, that the country described by him had long ago been transformed by the Makhzen /makhzan/.

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and which in our administrative terminology we call the subfraction. A "Friday mosque" in which passing strangers come to ask for hospitality, an "agadir" or collective storehouse, in the regions where this /152/ institution has been preserved, and especially the existence of a "jema^{c}a," assembly of all the men able to bear arms, such are the institutions of the "mouda^{c}."

The political activity of this little group is almost nil. In the independent tribes, the "mouda^{c}" most often is only an administrative division that permits dividing up local duties: turn at hospitality in order to feed strangers, turn at feeding the taleb, manure or tillage corvée, repair of séguias. Each "mouda^{c}" possesses, finally, in the vicinity of the hamlets, its grazing lands, its forest of brushwood, where people lay in supplies of wood for heating and which is cleared by fire when one wishes to take a chance on a harvest of barley on unirrigated lands. This is not a question of collective lands of the tribe, but rather of joint family-goods. A stranger to the "mouda^{c}" would not be able to settle there without permission, and when, in rainy years, these uncultivated lands are worth the trouble of being cleared and sown, one sees each family hurry to claim its part of them.

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[539] eat your harvests (1)!"

1. Compare Sitte und Recht /Custom and Law/, Ida ou Zal, p. 18.

592 In each family -- stricto sensu -- the sons rarely leave their father, even after their marriage. Each house most often shel-
[768] ters three or four households. After their father's death, custom decrees that the brothers continue to live in joint possession as
613 long as possible. By new alliances within this primitive group, the descendants of the same ancestor come to form a small social unit, into which the outsider is admitted only after a long stay (2).

[113] 2. Compare Laoust, "Le Mariage chez les Berbères du Maroc /Marriage among the Berbers of Morocco/," Arch. berbères, Vol. I, p. 76.

[554] This group does not always have the oldest one as head; often it is the richest and most influential one who speaks in the name of his "brothers" in the assemblies whenever the honor or interests of the "Ikhs" are involved.

62 Two or three "ikhs" customarily people a hamlet, "tad-
[613] chert," but it is not rare for one of them to be preponderant and alone have the right to represent the common interests at the assembly of the "taqbilt." Often in the regions neighboring the
[423] plains and above all in the Anti-Atlas the hamlet appears to us /219/ as a small autonomous group smaller than the "mouda^{c}" but which already possesses common property: manure, pasture
[351] lands, forest. A thick hedge of jujube trees dominated by a watchtower protects against thieves. To ensure the safety of the
[625] inhabitants turns at guarding the gate are established, and there is a night watch in the "borj" /watchtower/. The hamlet then tends to organize its own life with respect to police, execution of the corvées, repression of minor offenses, and thus it absorbs part of the attributions of the "mouda^{c}."

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632 621 [592] When the "mouda^{c}" made up of several hamlets is an active social unit, as happens in most of the valleys of the Haut-Atlas /High Atlas/, the heads of all the households in the hamlets that constitute it deliberate jointly in order to regulate the details of life. But if, according to common practice, the assembly is open to all the men married for a year, only the respected representatives of families, the heads of the "ikhs," make decisions in the name of all.

623 [346] The meetings of the council of the "mouda^{c}," to which the name "jema^{c}t" is often given, are customarily held in the Friday mosque, which is the central institution, and perhaps this social group's reason for being. The turn for feeding the taleb -- a [212] [755] hired outsider who instructs the children in the reading of the Koran, drafts letters or legal documents, and furnishes amulets [358] [574] to cure illnesses -- maintenance of the house of prayer, systematic regulation of the hospitality owed to strangers who come to spend the night in the mosque usually built apart from the village, such are the little practical problems that the assembly must solve in the best interests of all. The "jema^{c}t" augments its activity by watching over the protection of the crops, fixing the [185] [241] successive periods of utilization of the forest of argan trees for pasture or the harvest of the berries; it also sets the time when [245] [624] one can begin the plowing or the harvesting of walnuts (1),

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1. For magical reasons, it is often prohibited by the jema^{c}t to plow before a family that possesses "baraka" has found that circumstances are favorable for beginning the work. Cf. Laoust, Mots et Choses berbères /Berber Words and Things/, pp. 313-315. For other reasons, the harvest of walnuts or olives, which is done on trees belonging in common to a large number of owners, could be done only in the presence of the entire group, and it, too, is regulated by the council.

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735 794 431 191 themselves strictly of all duties incumbent upon them as members of the Mussulman community, but the community, for them, is restricted to the tribe -- or even the fraction -- and they do not conceive of the idea of bringing together in the hands of the Makhzen /makhzan/ the resources of the whole Mussulman community" (2).

2. Michaux-Bellaire, "Quelques tribus de montagnes /Some Mountain Tribes/," pp. 51-52. The same applies to the administration of the habous /wakf/ of mosques entrusted by the "jemaᶜa" of the Jbala to Nadirs /functionaries charged with conserving the property of the mosque/ of the tribe or fraction, or to the descendants of a Marabout, ibid., p. 175. Compare the managers of the habous property among the Djbala with the oukil /financial agent/ of the Kabyle mosque. Hanoteau and Letourneux, Kabylie /Kabylia/, Vol. II, p. 35.

• 423 III. Absence of collective properties. -- In the territories of the Sous populated by sedentary Berbères /Berbers/ one would look in vain for collective lands belonging in joint possession to tribes or fractions.

423 191 In the regions of Morocco in which tribes or entire confederations have recently disputed the possession of the soil, like the plains of the northern Gharb and the Moyen-Atlas /Middle Atlas/, one understands that individual ownership has not yet been able to assert itself in the course of a state of war that sets against each other groups /249/ constituted for defending or conquering a territory. On the contrary, in a country where the Berbère /Berber/ must make his fields himself by rolling stones on the flank of the torrents in order to create terraces, or work tenaciously in the minuscule gardens of the oases, each one is master of his possessions and disposes of them as he pleases. In the summit region

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•423 171 there hardly remain a few pastures common to a whole tribe (1).

1. The independent Berbères /Berbers/ could not be concerned about the juridical distinctions established by the Sultans in the course of history in the capitulation lands, subject only to the zekkat, and the lands of "naiba" /military service/, which were, moreover, to pay off the contribution of the "kharaj" and whose soil belonged in principle to the Mussulman community. One knows that the Mérinides and the Saadians had considered the Haut-Atlas /High Atlas/ as "naiba" land, in order to be able more easily to burden the Masmoudian tribes with taxes. In our day, the term "nouaib" is applied indiscriminately to all Arab or Berbère /Berber/ tribes that are subject to the Makhzen /makhzan/ or even to a chief. The "nouaib" are subjects, in contrast to the Berbères remaining free. It goes without saying that the state of submission to the Sultan does not entail, in the minds of the mountain populations, any diminution of their property rights on the land. Compare: Michaux-Bellaire, "Quelques tribus de montagnes /Some Mountain Tribes/," p. 161 and sqq.

423 794 621 437 In the villages, collective properties or the "habous" constituted for the benefit of sanctuaries are rare; as an exception, the manure deposited in the vicinity of the hamlets is often sold at auctions in order to serve for the maintenance of the mosques.

423 579 486 651 Tribal fractions often claim the cols and routes of passage as belonging to them as their own, and it is by virtue of this, it seems, that they consider themselves charged with maintaining security at the points where thieves usually meet in order to plunder travelers. Thus the "zettata," right of passage paid to the tribes by all who cross the country, and which has so often been regarded as an abuse, would appear in the eyes of the

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423 montagnards as a fair fee to the guardians of the col (2).
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2. "The Irohalen of the Demsira claim," says F. de La Chapelle (Notices inédites sur les tribus dissidentes du commandement des Mtougga /Unpublished Notes on the Dissident Tribes of the Mtougga Command/), "that the Tizi Macho and the Oussoud are wholly theirs since they pay for the thefts that are committed there." Likewise, the Aït Tigouga of the tribe of the Aït Semmeg, to the south of the Tizi n Test, bought from the neighboring fractions their guard rights over the col and drew up deeds of individual ownership having as their object the right to collect the "zettata." Cf. our article "l'Aghbar et les hautes vallées du Grand-Atlas /The Aghbar and the High Valleys of the Great Atlas/," Hespéris, 1927, 1st quarter, p. 7.

443 IV. The markets and the fairs. -- The regulation of the markets is of special importance in Berbère /Berber/ country. [182] The montagnard does not betake himself to the "souq" /sook/ [571] solely in order to buy or sell, he also goes there often to meet [578] his friends again, to settle disputes about land or pasture, or still [203] more simply in order to learn the news of the day.

Two kinds of markets exist. Some are held in the /250/ territory of a mountain canton or at the boundary of two or three "taqbilt"; a few dry-stone shelters forming shops (tahanout, plur. tihouna) suffice to shelter the merchants and delimit a small plaza where about a hundred persons at the most group themselves once a week. [554] These then are the notables of the place, [625] who, without collecting any fees, are charged with guaranteeing policing and security.

Other more important souqs exist on the major routes of passage, such as the "Jema^{c}a" of the Aït Daoud among the Ida ou

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/293/ Finally, the rights of suzerainty that the sedentary or nomadic tribes acquired over the qsars /fortified places/ harassed by plunderers come to create other obligations and causes of conflict. These circumstances are favorable for the establishment of a strong power dominating the anarchic dust of the families. Their study goes beyond the limits of our work, but their existence suffices to explain the difference that the organization and political evolution of the Berbère /Berber/ tribes near the Sahara and those of the sedentary ones of the Atlas or Anti-Atlas may present.

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XII. The amghars of the Rif. -- At first sight, one might expect to find in the mountainous regions of the north of Morocco, among the Jbala and in the Rif, a development of personal power comparable to the one that we have observed in the Sous. In reality, here, as there, the action that the Makhzen /makhzan/ carried out on the tribes in the nineteenth century remained distant and did not venture to come to break up the efforts of the minor chiefs in their beginnings. Pashas established in the towns at Fès /Fez/, Wezzan, Larache, Taza governed at a great distance through the agency of caliphates named in the mountains, and since the authority of the latter was weak, the Berbère /Berber/ or Arab populations lived in a situation very close to independence. Moreover, the village and canton republican institutions, the size of the small autonomous states, the division into leffs created, it seems, circumstances favorable for the appearance of personal power, analogous to the ones that we found in the Atlas of the Masmouda.

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Nevertheless, contrary influences were to make themselves felt to limit narrowly the chiefs' authority. We have mentioned the importance of the private wars in the western Rif that sometimes led to the disappearance of entire villages in a few years. The repetition of these struggles for long centuries ended in the consolidation of veritable clans, patriarchal and agnatic families augmented by clients and allies, whose persistence becomes necessary to the very life of the individual. The khoms is thus made up of a certain number of clans, "tarfiqt," all independent of one another, ready to separate at the least pretext. Old

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*631 casbah, for one to be able to make a feudal baron of him (1).
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1. Doutté, Mârrakech, pp. 400-402.

*631 As this sagacious observer noted, two essential aspects of the
174 social life of our Middle Ages are entirely lacking in the country
171 of the great kaids: on the one hand, the regime of lands in no
•423 way justifies a comparison with that of the feudal societies; on the other, no traditional hierarchy exists among the chiefs.

The possessions of the Berbère /Berber/ chief, as we have seen, are first of all the ones that he holds from his ancestors, poor little terraced fields bordered with stones near a mud house; from the time of his first exploits, the amghar has added to them the lands of his soff and leff enemies, which he seized by main strength; later, when he has been able to levy contributions, to overwhelm his subjects by ceaselessly renewed demands for money, he has become the acquirer of the best parts of the soil of the large valleys or of the Dir. But, having reached that degree of power, the great kaid considers himself the exclusive owner of the lands that he occupies; he often even respects the formalities of purchase and sale and grants some indemnities to the former masters of the country whom he has driven out; the cultivators are only his "khemmas," and we do not see them planting themselves
[567] on his domain while preserving hereditary rights. Only the slaves,
[566] bought from the merchants at Taroudant or Marrakech, people the villages in the vicinity of the fortress, and they work the lands without ever becoming serfs.

Thus "tenures" do not exist in the Atlas, and the multiple and lasting relations that the land established among the various classes of feudal society in Europe are entirely lacking.

*631 As for the existence of a hierarchy among the amghars and the
*634 kaids, it will suffice for us to recall that the grades that we have
174 been led to distinguish between them depend solely on their power
171 and the importance of the small states that they have conquered; masters of a canton, tribe, confederation, their rank /361/ is thus determined by the social structure of the country, which is itself

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*63 648 17 [578] [669] this progress still remains precarious, since passions, restrained during the years in which the authority of the Sultan's representatives is exercised without being contested, break out anew at the first "siba," with a still greater violence. The peace in which the new subjects then live is bought by the destruction of most of the traditions and customs, habitudes of local government and of primitive justice, which for the inhabitants of the mountains are inseparable from their very life.

[792] The marabouts, whose arbitration was exercised not only to stop the battles of cantons and tribes but also to settle in compliance with equity differences of a private nature, disappeared first; no longer do we see them intervene with sheiks and kaids to defend the poor and weak as they were privileged to do with the senates of "inflas" in the time of freedom. The old tribal law [671] ceases to be /413/ applied and often the day of submission marks [693] that of its effacement. It makes way for the more distant and abstract justice of the cadis, whose complaisance toward the new leaders is obvious.

* [634] At the same time, most of the economic institutions of the [343] small Berbère /Berber/ cantons, whose regular functioning re- [712] quired the deliberation of family representatives, are smitten with [652] decline; the agadirs fall in ruins, the common treasuries are [466] squandered, the corvées for mutual aid become irregular, main- [653] tenance of the séguias and roads, even the protection of the crops are no longer the object of the same care as in former times.

• [423] Finally, ownership of the land, so profoundly disturbed in cer- [166] tain regions near the casbahs of the great chiefs, becomes uncertain; the constitution of the large domains of the kaids of the Atlas entails, in a country already too poor to feed its inhabitants, the disappearance of a large number of villages and the progressive exodus of the Berbères /Berbers/ toward regions where the security of possessions and persons is more certain.

[735] When the domination of the Makhzen /makhzan/ is established without intermediaries and allows all its weight to bear down on the tribes, thanks to the unlimited authority of foreign leaders, one sees profound poverty develop; one of the most constant principles

343 /305 cont./
712 the Ida ou Mahmoud, and with a little patience and perserver-
124 ance it will be possible to see them. But the custom is known
[178] by all, and it is enough to interrogate the users in order to obtain the desired information and explanations concerning it.

/306/ Agadir of Ikis (1)

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1. Ikis is a village of 55 hearths. It is at the same time the most important village of the subfraction of the Ait Haddiyous formed by Ikis and the Ida ou Gerioun villages.

(Figs. 1, 2, 3, 4 and Fig. 13). -- It includes 74 chambers on
[351] two or three stories; ten almond trees grow in the interior court-
[245] yard. In good condition, it has nevertheless not been utilized any more for ten years; it served for storing nuts, raisins, peaches, and almonds. The successive poor harvests caused by frosts on
[434] the one hand, the rise in the cost of living on the other hand,
[432] forced the natives to sell a greater quantity of their products on the souq /sook/ in order to procure cotton goods, sugar, tea, and cereals for themselves. The agadir has therefore been less useful these last years, but if a good harvest of fruits should happen, such as has not been seen for a long time, the collective storehouse would be utilized anew.

The agadir is the common property of the people of Ikis.
[423] Each of them owns, by virtue of ancient rights, one, two, or
[621] three chambers; ten years ago, when the storehouse was in use,
[432] some chambers were sold -- very rarely -- or mortgaged. Each
[426] owner has the keys to his chambers. In calm periods the key to the entrance gate was deposited with the fqih of the mosque, who entrusted it to the users in case of need. In troubled periods
343 two guards were placed at the agadir. They were furnished by
712 the owners in turn, according to the number of chambers that
625 they owned, or then again they continued to stay and were then paid by all the users. The agadir, situated 300 meters from the

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343 712 [625] village, happened to be at the center of a cirque forming a resonator, the guards would hear any suspicious noises; in this case they would fire a few gunshots and help would arrive from the village; the prowlers would then run away. No one remembers that a theft has been committed in this agadir.

Agadir of Ankoutouf (Figs. 6, 7 and Fig. 14). -- It has 90 chambers, 60 of which are used, and three stories. It is especially well constructed and maintained. [621] It is the agadir of the village of Ankoutouf (48 hearths). Each hearth owns one to [423] three chambers; property deeds attest to these rights. Four [628] rooms are mortgaged, for a price that goes from 8 to 15 douros, [426] to some natives of Tizza, a village that does not have an agadir.

Each owner has the key to his rooms. The guard, who lives 343 712 625 inside the agadir with his family, has the key to the outer gate. He is appointed for a year as a rule and is changed in October; in general /307/ /Figs. 1 and 2 appear here/ /308 is blank/ /309/ /Figs. 3 and 4 appear here/ /310 is blank/ /311/ he [465] stays longer if people are satisfied with his services. He receives a rba of barley per year and per occupied chamber. In case of 343 712 685 625 theft, the thief, if he is discovered, repays the amount of the theft and pays 50 douros as a fine. The responsibility of the guard is involved only if the theft was committed after breaking open the outer gate -- and in this case it is he who repays the amount of the theft and pays 50 douros as a fine; but if the thief found his way in through a breach made in the wall, the guard is not troubled. The fine is divided among the owners of the rooms. Since no check is made of the quantities stored in the rooms, the victim must, in case of theft, swear along with 24 coswearers in order to certify what has been taken from him.

343 712 [621] Agadir of Tanout (Fig. 5 and Fig. 15). -- Belongs to the village of Tanout (57 hearths). It contains 70 chambers on two or three stories. The two borjs /lookout towers/ are empty.

Same interior arrangements and operation as at Ankoutouf.

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343 312 621 423 625 [562] Agadir of Tizzirt (Fig. 19). -- Belongs to the village of Tizzirt (50 hearths). Certain inhabitants own up to five chambers there.

Same arrangements and operation as at Ankoutouf.

The guard is usually a man. As an exception, this job was entrusted to a widow in 1928.

Agadir of Annoums (Fig. 8 and Fig. 20). -- It belongs to the village of Annoums (65 hearths).

[465] [685] [184] Five stories, all 80 chambers occupied; the guard receives a kharrouba of barley per chamber and per year. In case of theft, the custom is the same as for the agadir of Ankoutouf.

Agadir of Tamjlojt (Fig. 21). -- It belongs to the village of Tamjlojt (45 hearths). Sixty rooms, four stories. The guard receives one tmen of barley and one kharrouba of maize per room [465] and per year. As an exception, this post was given to a woman [562] last year.

Agadir of Talmakant (Fig. 16). -- It belongs to the village of Talmakant (40 hearths) and comprises 52 large rooms on two stories. It can serve both as storehouse and as réduit for defense [312] in case of attack, because of its cistern and its interior arrangement.

[682] /312/ It is in ruins in part; it has not been used any more for 25 to 30 years because an assassination was committed there.

Agadir of Assaka (Fig. 17). -- Like the preceding one, it served both as storehouse and as fortress.

[669] It was destroyed in part following internal struggles in 1925, and it is planned to put it back into condition. It serves at pres- [727] ent to shelter the numerous exiles who returned to the tribe after the submission and found their houses demolished.

Agadir of Azar (Fig. 18). -- It belongs to the village of Azar (28 hearths).

It normally serves as storehouse and in troubled times as fortress. The rooms are mortgaged for 5 to 20 douros. The [465] guard, changed every year, collects a kharrouba of barley, one kharrouba of maize, and a pound of almonds.

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343 712 685 In case of theft, if the thief is discovered, he must, irrespective of the punitive sanction that is imposed on him by the amghar /leader/ of the fraction, indemnify his victims. If the theft was committed through a hole made in the wall and if the thief is not discovered, the village in the midst of which the agadir is built is held responsible and must indemnify the victims [625] of the theft. If the theft was committed after breaking open the entrance gate, the guard is held responsible, must indemnify the victims of the theft. The latter must bring 24 coswearers in order to certify the quantities that they declare was stolen from them.

343 712 Agadir of Amassa (Figs. 10, 11, 22). -- It belongs to the people of Amassa (80 hearths), contains 80 chambers, 3 of [621] which are on the fifth story, all are utilized; most of the doors [423] are painted and worked. A room is mortgaged for 10 to 50 [426] douros and is sold for up to 100. The guard receives a kharrouba [432] of barley per year and per room, except for three rooms on the [625] fifth story, which pay nothing. In addition, the guard is fed, as [465] the fqih of the mosque is at the present time in Berber country. He is supplied with three meals a day, each owner taking his [685] day in turn. The three rooms on the fifth pay nothing, but in return they have no right to indemnity in case of theft.

Each owner is obliged to make the repairs necessary to main- [358] tain his room in good condition. Thus the owner of one /313/ /Figs. 5 and 6 appear here/ /314 is blank/ /315/ /Figs. 7 and 8 appear here/ /316 is blank/ /317/ /Figs. 9 and 10 appear here/ /318 is blank/ /319/ /Figs. 11 and 12 appear here/ /320 is blank/ /321/ chamber may take action against the one of the one below, if it should happen to collapse, or against the one of the room above, if it lets water coming from the terrace [685] leak through. In case of theft, the custom is the same as for [184] the agadir of Ankoutouf.

[621] Agadir of Tajelt Oufella (Fig. 12 and Fig. 23). -- It be- [423] longs to the village of Tajelt Oufella (33 hearths). It comprises 60 rooms and four stories.

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343 712 625 [465] The guard is a volunteer who remains as long as he wishes, if the users are satisfied with his services. Every year he is given a half-kharrouba of barley per room, utilized or not; furthermore, he is fed by the owners of the chambers. A turn is established as follows: if there are three rooms in height, each owner in turn guarantees 3 meals a day; if there are four rooms in height, the owners of the highest and lowest ones together guarantee a day; the following day it is the owners of the middle chambers. [358] [184] The same rules as at Amassa are followed for the respective responsibility of the users in case of collapse or the infiltration of water. The guard is responsible only for thefts committed [685] after a break through the outer gate, not for those that have been made through a breach in the wall. The thief, if he is discovered, repays the amount of the theft and gives a cow that is divided among the owners, taking into account the number of chambers; the same rule is applied against the guard, if he is responsible. The victims of the theft provide 24 coswearers.

343 712 621 423 358 [685] [184] Agadir of Meggount (Fig. 24). -- It belongs to the inhabitants of the village of Meggount (80 hearths). The rules for its operation are the same as at Tajelt Oufella in what concerns poor maintenance and theft.

In all these collective storehouses, if repairs concerning the agadir itself and not only one room become necessary, all the co-owners are jointly liable. They carry out the work in common and, according to the number of shops they occupy, bear the costs caused by this repair, for the purchase of wood, the salary of the workers, or any other expenditure.

Imi n Tanout, 15 March 1928.

Lieutenant Pierre Dupas.

/Page 322 is blank, but precedes an unpaginated folded insert bearing Figs. 13-24./

4: Hoffman E-4 (no date) 1967 MW11 Shluh MW11 (ca. 1900)

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Among the sedentary tribes the importance and function of the commune varies greatly depending upon circumstances, particularly upon the nature and independence of the community units. Among the Haha (530-541) the settlement pattern is one of widely dispersed households, and nucleated communities are rare; furthermore all the minor lineages within a commune are generally related so that the commune is often equivalent to a major lineage. Under these circumstances the interest and requirements of the commune prevail over those of its component units, and the solidarity of the group is manifested by its sense of common origin, unity, and of *h'orma* or "honor" – the violation of which by an outsider sanctions a vendetta. The commune has a special mosque, a communal granary, a communal cemetery, and communal property such as that surrounding the settlements, pastureland, and brushwood forests (where the members obtain their cooking wood and where they can attempt to grow a crop of barley if they wish to gamble on unirrigated land). The commune is also characterized by a representative council, and an elected or appointed chief; its principal functions are the maintenance of the communal mosque as a religious center, a school, and a communal center; the maintenance of the granary; the maintenance of the cemetery and its enclosure, and the distribution of lots to the member families; the arbitration and adjudication of boundary and property disputes between its members; the division of inheritances; the maintenance or lodging of strangers; the distribution of irrigation water; the policing of cultivated fields and of fruit trees; the planning and regulation of communal labor for plowing, harvesting, forest clearing, or irrigation works; and providing officials for certain domestic ceremonies, particularly weddings (Doutté, 1905).

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In situations where villages have assumed most purely local administrative functions, the commune – and the larger unit, the district – concerns itself more with problems of political stability – adjudicating and arbitrating disputes between its component units, administering the commune market, and generally maintaining the peace. Hart's description of the commune (*fariqath*) among the Beni Uriaguel (99), who have well-developed village organizations, reflects this difference in emphasis: